

# THIRD EVALUATION REPORT ON BOSNIA AND HERZEGOVINA

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



Adopted on 17 March 2022

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

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

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

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

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## Executive Summary

The third evaluation report by the Committee of Experts is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Bosnia and Herzegovina in December 2021.

The European Charter for Regional or Minority Languages entered into force in Bosnia and Herzegovina in 2011 and applies to the following 15 languages: Albanian, Czech, German, Hungarian, Italian, Ladino, Polish, Romani, Romanian, Ruthenian, Slovak, Slovenian, Turkish, Ukrainian and Yiddish.

The Committee of Experts continues to state that the complex constitutional setup of Bosnia and Herzegovina with several levels of administration and distribution of competences does not facilitate the implementation of the undertakings under the Charter. There is a clearly detectable lack of coordination between state-level authorities, the authorities of the entities and those at canton and municipality level. The alignment of the legislation of all these levels with the Charter has been strongly recommended in the two previous monitoring cycles, but no significant progress was achieved in the third monitoring round. Although the state-level legal framework in force provides a basis for the protection of minority languages, in practice the high thresholds and the lack of the alignment of the lower-level legislation still result in a low level of implementation of the undertakings of the Charter.

The Committee of Experts noted with regret the generally low level of awareness of the Charter among the speakers and the members of their associations, despite the efforts of the Council of Europe and its Field Office in Sarajevo in this respect. The state authorities are asked to disseminate and discuss the Charter and the recommendations of the evaluation reports with all stakeholders and consult with the speakers about the steps necessary for the effective implementation of the Charter. Minority languages are largely absent from public broadcasting and there are no dedicated programmes in most minority languages. Steps are also necessary to raise awareness of minority languages in the society at large.

Teaching of minority languages remains almost absent from public education. The shortage of teaching materials and the lack of teacher training has not been addressed. The language courses are mainly organised and financed by the speakers' associations, the "kin-states" and the speakers themselves. The Committee of Experts reiterates its position that an effective implementation requires more efforts from the state authorities as they are responsible for providing the financial background and introducing minority language teaching into public education.

Minority languages are absent from judicial and administrative proceedings as the legal framework is not in conformity with the Charter. No municipalities have adopted official place names in minority languages, nor are they using them on place name or street name signs despite the funding and technical expertise offered by the Council of Europe and the European Union.

Funding of cultural projects of the national minorities is still not transparent and systematic. The speakers seem to be unaware of the existing project-based funding schemes and they also face difficulties in complying with the regulations.

## Chapter 1 The situation of the regional or minority languages in Bosnia and Herzegovina – 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. Bosnia and Herzegovina signed the Charter on 7 September 2005 and ratified it on 21 September 2010. The Charter entered into force in Bosnia and Herzegovina on 1<sup>st</sup> January 2011 and applies to the following languages:<sup>1</sup> Albanian, Czech, German, Hungarian, Italian, Ladino<sup>2</sup>, Polish, Romani, Romanian, Ruthenian, Slovak, Slovenian, Turkish, Ukrainian and Yiddish. All languages receive protection under both Part II and Part III (Articles 8-14).

2. Article 15 (1) of the Charter requires State Parties to submit three-yearly reports<sup>3</sup> on the implementation of the Charter. The authorities of Bosnia and Herzegovina submitted their third periodical report on 4 January 2021. This third evaluation report of the Committee of Experts is based on the information contained in the periodical report and statements made by the authorities and the representatives of the speakers of the minority languages during the on-the-spot visit (6-10 December 2021) 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 Bosnia and Herzegovina and the situation of these languages. It examines in particular the measures taken by the authorities of Bosnia and Herzegovina to respond to the recommendations made by the Committee of Experts and the Committee of Ministers at the end of the second monitoring cycle and also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each undertaking of Bosnia and Herzegovina in respect of the given language as well as the recommendations addressed to the authorities of Bosnia and Herzegovina. 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 Bosnia and Herzegovina, as provided for in Article 16 (4) of the Charter.

4. As far as the detailed legal examination of each undertaking is concerned, the Committee of Experts refers to its **second evaluation report on the application of the Charter in Bosnia and Herzegovina (ECRML (2016) 3)**.<sup>4</sup>

5. This report is based on the political and legal situation prevailing at the time of the Committee of Experts’ on-the-spot visit to Bosnia and Herzegovina in December 2021. This evaluation report was adopted by the Committee of Experts on 17 March 2022.

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

#### *The monitoring process*

6. The monitoring work of the Committee of Experts requires cooperation from the state authorities and from the speakers in order to be able to assess the situation and adopt a detailed evaluation report. The lack of relevant and accurate information provided by the third periodical report and in the exchanges with the state authorities afterwards hampered the monitoring work. The lack of adequate information is regrettable, therefore the Committee of Experts recommends the state authorities to use the outline adopted by the Committee of

<sup>1</sup> The Committee of Experts in collaboration with the speakers and the state authorities have decided that the Macedonian and the Montenegrin languages are not traditionally used in Bosnia and Herzegovina as described in Article 1 of the Charter, therefore these languages are not subject to the monitoring (see para 14 of the 2<sup>nd</sup> evaluation report of the Committee of Experts on Bosnia and Herzegovina).

<sup>2</sup> The two languages of the Jewish community (Ladino and Yiddish) covered by the instrument of ratification, are evaluated separately (see para 36 of the 2<sup>nd</sup> evaluation report of the Committee of Experts on Bosnia and Herzegovina).

<sup>3</sup> Since 1 July 2019, new rules apply according to the Committee of Ministers decisions adopted on 28 November 2018 on the strengthening of the monitoring mechanism of the European Charter for Regional or Minority Languages whereby States Parties submit their periodical report every five years (instead of every three years) and information on the implementation of the recommendations identified by the Committee of Experts in its evaluation report as being for immediate action every two and a half years.

<sup>4</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806dc600>

Ministers on its 1345<sup>th</sup> meeting on 2 May 2019<sup>5</sup> for the preparation of the next periodical report. Some speakers' organisations were impossible to contact, and the Committee of Experts regrets the fact that some of the other speakers' organisations failed to participate in the meetings mutually agreed upon during the on-the-spot visit. The Committee of Experts expresses its wish to continue the work with all interlocutors and extends its appreciation to all who contributed to the monitoring work.

### ***Compliance with reporting obligations***

7. The third periodical report was adopted by the state authorities in October 2020 and contains information only from 2016 to 2019. This report was submitted to the Secretariat of the Charter for Regional and Minority Languages in January 2021. The fourth periodical report was due on 1<sup>st</sup> June 2021 but had not been transmitted at the time of the adoption of the report. The Committee of Experts asks the state authorities to enhance their effectiveness, improve co-ordination between the stakeholders and submit their next periodical report with no further delay and their mid-term report by 1<sup>st</sup> December 2023, in accordance with the Committee of Ministers' decisions of November 2018.

### ***General issues***

8. The Committee of Experts stated in the first two monitoring rounds that the complex constitutional setup of Bosnia and Herzegovina with several levels of administration does not facilitate the implementation of the undertakings under the Charter. The distribution of power (state, the two entities of the Federation of Bosnia and Herzegovina and Republika Srpska, Brčko District, cantons, municipalities), leads to responsibilities not clearly defined, resulting in a low level of implementation of the existing minority protection legal framework. In the previous monitoring cycle, the Committee of Experts and the Committee of Ministers recommended to the authorities of Bosnia and Herzegovina to "**establish a structured policy and take flexible measures facilitating the application of the Charter, including any necessary adaptations of the legislation**"<sup>6</sup> The Committee of Experts also advised the authorities to draw up a mid-term strategy on the implementation of the Charter in respect of the minority languages.

9. The **Law on Rights of National Minorities of Bosnia and Herzegovina adopted in 2003** (from hereinafter "Minority Law") has not been amended despite the repeated recommendations of the Committee of Experts and the Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM).<sup>7</sup> Article 12 of the Minority Law continues to set the thresholds as a condition of use of minority languages ("The authorities in the cities, municipalities, and local communities (or inhabited places) in which the members of national minority represent an absolute or relative majority of population shall ensure that the minority language is used between such members and the authorities). Article 12 also declares that "Cities and municipalities may determine by its statutes that the rights referred to in Paragraph above may be used by the members of national minorities even when they do not constitute absolute or relative majority of population, but when they constitute more than a third of the population in the city, municipality or populated area". Given the low number and the dispersion of speakers of minority languages these requirements continue to be too high and lead to non-fulfilment of many of the undertakings ratified by Bosnia and Herzegovina. The authorities did not provide the relevant information in the third periodical report and the Committee of Experts has not received information on the implementation of Committee of Ministers recommendation no. 1, **in the state-level legal framework** during the on-the spot visit either. **The lack of mid-term strategy on the state-level** and the lack of the necessary adjustments in the state-level legal provisions continue to hamper the implementation of the Charter.

10. According to the amendments to the **Law on Rights of National Minorities of Republika Srpska** presented by the representatives of the government of that entity, the threshold for the use of minority languages was maintained but the possibility was given for the local authorities to decrease it if they decide to do so and to amend their statutes accordingly. However, the representatives of the entity government confirmed that no local government has adopted such measures so far in Republika Srpska. The Committee of Experts asks the authorities of the entity to inform the local authorities about the possibility of lowering the threshold and to provide financial support to those municipalities where minority languages will be used.

11. Based on the previous recommendations of the Committee of Experts and the Advisory Committee the **2020-2024 Strategy for the Promotion and Protection of the Rights of Persons Belonging to National**

<sup>5</sup> See "Outline for the periodical reports CM2019(69) final" <https://rm.coe.int/090000168094521a>, also the guidebook funded by the Council of Europe and the EU published in Bosnian in September 2021 which contains detailed information on the implementation measures and reporting obligations under the Charter <https://rm.coe.int/hf19-state-criteria-fcnm-ecrml-bos/1680a3b136>

<sup>6</sup> See Recommendation CM/RecCHL(2016)4 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Bosnia and Herzegovina, adopted on 5 October 2016, Recommendation No.1.

<sup>7</sup> ACFC/OP/IV(2017)007, Fourth Opinion on Bosnia and Herzegovina, adopted on 9 November 2017.

**Minorities in Republika Srpska** (from hereinafter “Strategy 2020-2024”) was adopted by the National Assembly of Republika Srpska on 3 March 2021. “Strategy 2020-2024”, which includes recommendations from the previous evaluation reports of the Committee of Experts, envisages a more comprehensive approach towards the international agreements ratified by Bosnia and Herzegovina in the field of national minority protection. The aim of the document is to improve the protection of the rights of national minorities living in Republika Srpska. In addition to the use of minority languages, its fourteen objectives cover fields such as culture, education political participation and information technology. The document envisages a more structured financial support from the budget of Republika Srpska and strives for a more efficient co-operation within the government bodies, local authorities responsible for the implementation and the organisations of the speakers.

12. A Coordination Body for monitoring the implementation of the “Strategy 2020-2024” (from hereinafter “Coordination Body”) was appointed by the Government of Republika Srpska on 25 March 2021 which began the preparation of an “Action Plan for the implementation of the Strategy 2020-2024”. The National Minority Council of Republika Srpska appointed two members to this body. The Committee of Experts welcomes this initiative which, if adopted will, be the first national minority policy document of Republika Srpska. As many minority speakers reside in the municipalities of Gradiška, Laktaši and Prnjavor it is particularly important to examine the implementation of the Charter in these areas. The Committee of Experts notes that the “Coordination Body” has had only one meeting, in September 2021, and awaits information on the actual adoption of the Action Plan and asks the state authorities to report on the results of its implementation in all following mid-term and periodical reports. It asks the state authorities to facilitate the adoption of similar documents in the Federation of Bosnia and Herzegovina and in the Brčko District.

13. According to the third periodical report eight out of ten cantons have already harmonised their cantonal legislation with the “Minority Law” in the past three years. However, the Committee of Experts is not aware of the effects of this harmonisation on the status of the minority languages in those cantons. There were no amendments in the **legal framework of the Federation of Bosnia and Herzegovina** since the last monitoring round. The representative of the Ministry of Justice at the Federation informed the Committee of Experts during the on-the-spot visit that the Ministry was not involved in the drafting of the previous reports, it only took part in the preparation of the third periodic report. The Committee of Experts points out that the information provided in the periodical report is insufficient, therefore asks the state authorities to address this issue by clarifying and strengthening the reporting obligations of all bodies and institutions involved in the preparation of the periodical report.

14. The **Law on National Minorities of the Brčko District** was adopted in 2020. Article 9 sets the threshold for the use of minority languages to at least one third of the population. The Committee of Experts reiterates its position that given the low number of speakers of almost all national minorities, the use of thresholds in practice constitutes an obstacle for the use of minority languages.

15. The Committee of Experts considers that the existing legal framework for the protection of minority languages does not guarantee adequate level of protection. As the minority language speakers in Bosnia and Herzegovina are dispersed and low in numbers, the high level of thresholds for the use of minority languages makes this legal framework still practically ineffective.<sup>8</sup> A mid-term strategy has not been adopted on a state level, and the implementation of the “Strategy 2020-2024” is in a very early stage in Republika Srpska. The Committee of Experts also requested the authorities to implement each undertaking for each minority language in at least one administrative unit irrespective of the thresholds laid down in the relevant domestic legislation. The authorities did not provide the relevant information in the third periodical report and the Committee of Experts has not received additional information on the implementation of this recommendation.

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<sup>8</sup> The highest percentage of any national minority population within the overall population of a municipality in Bosnia and Herzegovina is 8%.



### ***Resolute action to promote minority languages***

16. The Committee of Experts observed that no exact examples were given for acts of promotion of minority languages during the monitoring process, apart from funding occasional cultural projects. The lack of institutions or bodies promoting minority languages results in low awareness of national minority languages among the overall population and constitutes a lack of resolute action.

17. **Funding of cultural projects of the national minorities is not transparent nor systematic.** The representatives of the entity-level Ministry of Human Rights and Refugees and the representatives of Republika Srpska stated that a specific call for minority cultural activities exists in their system, which enables those applications to be evaluated and financed separately from non-minority cultural projects. A public call for the financial support of the national minorities explaining the conditions and the procedure of the application was published in 2020 by that Ministry of Human Rights and Refugees.<sup>9</sup> There is no separate appropriation or public call for the preservation of the language or the culture of national minorities in the budget of the Federation of Bosnia and Herzegovina. The Ministry of Human Rights and Refugees of Bosnia and Herzegovina is the only state-level authority possessing an annual budget of 130 000 KM<sup>10</sup> for the preservation of culture and languages of all national minorities. There is an additional budget of 40 000 KM for applications of the Roma national minority. The corresponding budget of Republika Srpska ministries is 70 000 KM, combined. Local governments seldom have budgets dedicated to the preservation of national minority languages or culture. Speakers confirmed that support was provided by the city of Banja Luka and the Sarajevo Canton (5 000 KM is provided annually for the Day of National Minorities), by the OSCE and by the Council of Europe for their projects.

18. As opposed to this, there is a very low level of understanding of the application system amongst the representatives of minorities who share the perception that their applications are rejected most of the time for administrative reasons. The Committee of Experts has to point out again that the distribution of relevant information is a precondition for a more successful promotion campaign, therefore asks the state authorities to present and explain their system of funding to the speakers. It is also evident that the state authorities responsible for the implementation of the Charter have to increase their financial support.

19. The regional and minority languages remained almost absent from public life since the last monitoring cycle. Sporadic positive initiatives like the “Let’s meet” competition of 39 primary schools on knowledge of national minorities in Republika Srpska is a commendable step, but the level of protection ratified by Bosnia and Herzegovina would require a resolute action and effective practical steps from the state authorities. The lack of state and entity level initiatives result in practice that the actual implementation of the programmes depends largely on the local level administration and the associations of the minorities complemented by efforts of the “kin-states” and the speakers. The Committee of Experts was informed during the on-the-spot visit that the exchange of information in this vertical structure of administration is not efficient as the recommendations of the Committee of Experts are not translated and not transmitted to the executive levels and to the speakers’ associations. The initiatives taken by the Council of Europe Office in Sarajevo such as the translation into the official languages and the distribution of the most relevant reports of the Charter and the Framework Convention are commendable, but additional efforts are necessary from the state authorities as well. The information provided by the state authorities in the second periodical report was insufficient to assess the level of implementation of the Charter in Bosnia and Herzegovina. This, and a low level of implementation in most of the undertakings of Article 7. led the Committee of Experts to draw up precise and detailed plan for the state authorities in order to improve the implementation in the second evaluation report on Bosnia and Herzegovina. The cantonal level legislation needed to be aligned with the regulations of the state “Minority Law” to ensure effective implementation in the entities. At the same time, even if the legislation was aligned, the third periodical report indicated that cantonal administrative bodies have no competence in regulating policy regarding regional and minority languages.

<sup>9</sup> Javni Poziv za dodjelu grant podrške udruženjima nacionalnih manjina za 2020.godinu, Ministarstvo za ljudska prava i izbjeglice Bosne i Hercegovine (Public Call for Grants to Associations of National Minorities for 2020, Ministry of Human Rights and Refugees of Bosnia and Herzegovina, <http://www.sluzbenilist.ba/page/akt/VMSYBBaVCP8=>)

<sup>10</sup> KM - convertible mark – 1KM=0.51euro in November 2021

### ***Consultation with the speakers' organisations***

20. In line with the obligations under the Charter, the bodies representing national minorities and minority language speakers were founded on federal, entity and local levels in Bosnia and Herzegovina as advisory bodies of their respective founding legislative bodies on national minority issues. The Committee of Experts had meetings with the representatives of **the Association of National Minorities of Republika Srpska** (established in 2003) and **the Council of National Minorities of Bosnia and Herzegovina** (established in 2006).<sup>11</sup> The speakers and some of the delegates expressed concerns that the current election procedures of the members of the councils are not flexible. Therefore, the continuous representation of each national minority may not be possible in the long run.<sup>12</sup> The representation of each national minority and consequently the minority languages in those National Minority Councils where they traditionally live is particularly important, therefore the Committee of Experts asks all founding legislative bodies to adopt flexible measures that ascertain that the election of the delegates is not hampered and that the mandate of these bodies is extended in due course.

21. According to the third periodical report, the **Association of National Minorities of Republika Srpska** contributed to the preparation of "Strategy 2020-2024". However the **Council of National Minorities of Bosnia and Herzegovina** reported no co-operation in the fields covered by the Charter, between the minority speakers' groups and the constituting nations (Article 7.1.e) in the third periodical report. Members of the Council of National Minorities of Bosnia and Herzegovina reported during the on-the-spot visit that the findings and the recommendations of the previous evaluation reports were not discussed in their councils' meetings. This council advised the state authorities on the introduction of elements of Roma culture into the general curricula. However, its members are not aware of the current status of that programme. The Committee of Experts encourages the authorities to initiate a consultation between the National Minority Councils and the founding legislative bodies to address the issue of the effectiveness of these bodies.

### ***Awareness raising***

22. The Committee of Experts found practically no implementation in awareness raising in its second evaluation report, resulting in that the minority languages are virtually invisible.<sup>13</sup> In recent years there are sporadic initiatives for presenting the culture and heritage of the national minorities in education<sup>14</sup> and occasional broadcasting of programmes on minorities in Bosnian, Serbian, Croatian language such as "Mala Evropa" and "Korijeni" on television and "Slušaj manjinske jezike",<sup>15</sup> which are only a continuation of the programmes reported also in the previous monitoring round. Project-based programmes targeting promotion of Italian and Ukrainian languages were implemented in Prnjavor and the commemoration of International Roma Day was also partly financed in Tuzla and Kakanj by the authorities. These measures seem insufficient for presenting the national minorities to the entire society and enhancing acceptance of the minority speakers. The state authorities declared that teaching of minority languages could not be started in the public education because there was no such demand from the speakers. The Committee of Experts reminds the state authorities that awareness and acceptance raising measures are the necessary preconditions that would encourage the speakers to request minority language education for their children.

23. The Committee of Experts noted with regret the generally **low level of awareness of the Charter** among the speakers and the members of the national minority councils. During the on-the-spot visit some speakers indicated that they were not aware of the existence of the Charter or the obligations of the state authorities under the Charter. The results and the recommendations of the two previous evaluation reports were not discussed at any of the National Minority Councils, nor were those communicated by the state authorities to the speakers' associations directly. Furthermore, most of the speakers' representatives declared that they were not involved in any consultations in the preparation of the periodical report on the implementation of the Charter. The state authorities stated however, that the presidents of two National Minority Councils and a few other members were part of the Interdepartmental Working Group that was included in the preparation of the third periodical report. The Committee of Experts emphasises that it is a fundamental obligation of state authorities to involve speakers' associations too in the preparation of the periodical reports and to transmit and discuss the recommendations of the evaluation reports with the speakers. The communication seems insufficient between the speakers, the National Minority Councils established to promote and advise on

<sup>11</sup> The National Minority Council of the Federation of Bosnia and Herzegovina entity was established in March 2016.

<sup>12</sup> See also para 130-134 of the Fourth Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) on Bosnia and Herzegovina, adopted on 9 November 2017.

<sup>13</sup> See para 60 of the second evaluation report

<sup>14</sup> See para 16 of this evaluation report

<sup>15</sup> 'Listen to Minority Languages', 30-minute episodes on radio mainly in Bosnian and jointly financed by the Council of Europe and the EU.

minority issues and the state authorities, hence urgent and effective steps are necessary to improve the situation.

### ***Non-discrimination***

24. The Committee of Experts emphasised to the state authorities the importance of reporting cases of discrimination in the previous monitoring cycles. During the on-the spot visit speakers of Romani reported alleged cases of discrimination including discrimination on the ground of language, whereas the representatives of both entity and state level governments (see paragraph 8 of this report) claimed that no cases of discrimination were reported. The Committee of Experts points out the discrepancy between the allegations of the speakers and the information provided by the state authorities in this respect. Although acts of discrimination based on ethnic affiliation are punishable by law in Bosnia and Herzegovina, the Committee of Experts reminds the state authorities that in order to achieve clearer understanding of the situation effective measures have to be taken in the field of raising awareness of national minorities in general and specifically of citizens of Roma background. The Committee of Experts asks the state authorities to report on the implementation of the goals set for combating discrimination in the Action Plan for the Social Inclusion of Roma in Bosnia and Herzegovina 2021-2025.<sup>16</sup> The measures of Chapter 5 of the Action Plan targets education and inclusion of Roma in general, but the Committee of Experts reminds the state authorities that training of the staff of the law enforcement bodies is essential in order to create an environment where speakers would feel that if such cases are reported, they will be recorded and investigated. The Committee of Experts feels that division between the “Constituent Peoples” and the “Others” laid down in the Constitution reflects the general attitude towards the national minorities which hampers the acceptance of national minorities, especially the Roma, into the Bosnian society. The Committee of Experts asks the state authorities to report on measures taken in the next periodical report.

### ***The census of 2013***

25. The much-debated results of the census conducted in 2013 were released officially only in 2016, after the previous on-the spot visit, therefore these figures were not presented in the second evaluation report. The official figures on the national minorities were released even later, in 2017.<sup>17</sup> The issue relating to the impossibility for respondents to indicate multiple ethnic affiliations and the allegations that an unknown number of citizens of minority origin may have not declared for their ethnic affiliation for reasons originating in the inter-ethnic conflicts of the recent history of the country, were voiced during the on-the-spot visit. The speakers believe that the actual numbers of minority speakers are higher than the official figures.

26. The Committee of Experts would like to emphasise that, in addition to questions about national minority affiliation, censuses are also an opportunity to collect comprehensive data about the knowledge and use of minority languages. The Committee of Experts also underlines that census results should be complemented by sociolinguistic surveys or by collecting, in co-operation with the speakers, data concerning the number of users of minority languages and their geographic distribution. Such data should be taken into consideration by the authorities when planning their action concerning minority languages. The Committee of Experts encourages the authorities to develop the methodology and data collection instruments for the next census and any upcoming sociolinguistic surveys in co-operation with the representatives of the speakers.

<sup>16</sup> AKCIONI PLAN BOSNE I HERCEGOVINE ZA DRUŠTVENU INKLUZIJU ROMA I ROMKINJA ZA PERIOD 2021. – 2025. godine <https://ekonsultacije.gov.ba/legislationactivities/downloaddocument?documentId=1014882>

<sup>17</sup> See page 5 of the third periodical report on Bosnia and Herzegovina

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

27. The Committee of Ministers Recommendation no. 2 of the second evaluation report on Bosnia and Herzegovina asks the state authorities to “**provide appropriate forms and means for the teaching of the minority languages in co-operation with the speakers**”. The Committee of Experts was informed by the representatives of both entity governments that they had not received requests for introducing language classes in the public education system from the speakers on behalf of their children, therefore no work was commenced on teaching materials or teacher training. The Committee of Experts reminds the state authorities that the level of protection ratified by Bosnia and Herzegovina requires a proactive approach. This means that discussions with the representatives of the speakers regarding minority language education should not take place before appropriate steps are taken to prepare the offer of introducing such education.

28. The state authorities and the representatives of the minority organisations have confirmed that minority languages are absent from pre-school education and the language of instruction is Bosnian, Croatian or Serbian. There are no qualified language teachers or teaching materials suitable for this age group, either. The rulebook issued for the implementation of the Law on Preschool Education of Republika Srpska stipulates that for children belonging to national minorities bilingual educational work can be performed if at least 50% of the parents of children included in the educational group in the institution decide for that. The Committee of Experts considers that this rulebook is not in conformity with the requirements of the Charter and asks the state authorities to amend the Law on Preschool Education.

29. The Committee of Experts was informed by speakers of Romani during the on-the-spot visit about the demand for minority language education in pre-school education, therefore asks all authorities with responsible for education to restart the dialogue with the speakers in order to introduce Romani in pre-school education.

30. Minority languages are almost absent from primary education in Bosnia and Herzegovina. The Committee of Experts notes that Article 11.5 of the Law on Primary Education of Republika Srpska after the amendment in 2017, as well as Article 9 of the Law on Secondary Education, still provide that the language and culture of the national minorities is taught in optional courses, which is not in conformity with the undertakings ratified by Bosnia and Herzegovina. According to the authorities, Italian and Ukrainian are taught as optional subjects two hours a week in a few schools in Republika Srpska. German can be taught as either first or second foreign language at all levels of education. The Committee furthermore reminds the authorities that foreign language teaching does not meet the requirements of the Charter and that the respective languages should be taught as minority languages taking into account the traditional character of these languages, in particular local history and cultures of the respective minorities.

31. Language courses are organised by minority associations of Hungarians, Slovaks, Slovenians, Polish and Roma. The teaching is usually conducted by non-qualified staff and there is a lack of teaching materials. These courses are financed mostly by “kin-states” and NGOs. According to the authorities of Republika Srpska the annual budget of 40 000 KM set aside for applications supporting language courses of the national minorities was reduced to 30 000 KM since 2020 due to the restricted budget caused by the Covid-19 pandemic. The limit of the contribution is 1 000-4 000 KM per project. In the view of the authorities there is a need for training of the minority associations on how to prepare project proposals. Some speakers’ organisations reflected on that by confirming that they do not have knowledge themselves nor the financial capacity to use professional assistance in the preparation of the applications. The Committee of Experts was also informed that there is no separate budget line for supporting of national minority language courses in the budget of the Federation of Bosnia and Herzegovina, hence the applications of the national minority organisations are evaluated in the same process as all other culture-related applications. With reference to the difficulties the minority associations face in the course of application the Committee of Experts emphasises the need for explaining the existing project-based system to the speakers as a matter of priority. Developing an infrastructure and a mid-term strategy that would ensure that implementation of the Charter should be also considered.<sup>18</sup>

<sup>18</sup> See Committee of Ministers Recommendation CM/RecCHL(2016)4, Recommendation no. 1.

32. The authorities explained that demand for textbooks in Romani is low therefore textbooks would be acquired from Serbia. The Committee of Experts refer to Article 7 1.i and encourage the state authorities to promote the types of transnational exchanges that would lead to the improvement of the selection of teaching materials in Bosnia and Herzegovina by relying on the already existing offer from the neighbouring countries.

33. The third periodical report provides no further information whether any of the language courses organised by speakers' associations were incorporated into the general curricula of the primary education. The Committee of Experts has not received information on teaching of minority languages in secondary education, technical and vocational education, or in teacher training programmes. The Committee of Experts did not receive any information on whether the general curricula used in primary education contain elements of teaching of the history and the culture reflected by minority languages (Article 7.3 and Article 8.1.g.).

34. The periodical report lists university study programmes in Italian, and German in the Faculty of Philology in Banja Luka, and German in the Faculty of Philosophy in East Sarajevo (Article 7 1.h and 8.1.e iii). The Committee of Experts asks the state authorities to examine how these programmes could facilitate teacher training in these languages.

35. The authorities of the Federation financed the publication of a Bosnian-Romani dictionary. According to the representative of the Ministry of Civil Affairs, the initiative to establish a Department of Romani at the University of Sarajevo that could serve as a basis for teacher training has not been implemented yet.

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

36. The regulations in force (the Criminal Procedure Code and the Civil Procedure Code of Bosnia and Herzegovina) still provide that the languages of the proceedings are the official languages of Bosnia and Herzegovina (Bosnian, Croatian and Serbian). If the person subject to criminal procedures does not understand one of the official languages, interpreters may be used. It is evident that this legal setup is in line only with the international standards that require foreign nationals to be provided translation to their own language during judicial proceedings free of charge and is not in conformity with the Charter. Minority language speakers in Bosnia and Herzegovina are in general fluent in at least one of the official languages therefore this legal setup in practice means that they cannot use their minority languages. The regulations referred to above in this case will not provide translation free of charge from minority languages into the official languages therefore the use of minority languages is practically absent from criminal proceedings.

37. The Civil Procedure Code of Bosnia and Herzegovina does not cover the costs of interpretation at any situation. In practice it means that the use of any other language than the three official languages of Bosnia and Herzegovina is only possible if all costs are borne by the person initiating the use of those languages. The Committee of Experts reiterates that this is not in conformity with the ratification instrument of Bosnia and Herzegovina, therefore the domestic legislation has to be aligned with the undertakings of the Charter.

38. The Committee of Experts has not received adequate information on the availability of trained interpreters in minority languages either, therefore cannot conclude on how the use of minority languages would be ascertained in judicial procedures. No information was received on the use of or the acceptance of written statements in minority languages either. The representatives of the speakers confirmed unanimously that their organisations have never been contacted to provide assistance for interpretation services by the judicial authorities. The Committee of Experts therefore concludes that the undertakings under Article 9 are not fulfilled.

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

39. Based on Article 12 of the Minority Law of Bosnia and Herzegovina, the respective minority laws of the Federation of Bosnia and Herzegovina (Article 9) and Republika Srpska (Article 12) provide that local authorities shall ensure that the minority language is used between such members and the authorities where the minority languages are in official use. The Committee of Experts notes that the speakers are not in relative or absolute majority in any administration unit and that no minority language is in official use. There are no municipalities where the optional lowered threshold of one third of minority population was adopted in their statute.

40. As a consequence, the state authorities declared that no administrative unit in the state is inhabited by members of just one national minority, therefore national minority languages are not in use in the public administration in written or in oral form at all. The language used in the administration is Bosnian, Croatian and

Serbian, and only persons not speaking these languages are eligible for interpretation. The speakers confirmed that the conditions for the use of minority languages are non-existent, and the general perception is that because every citizen speaks one of three official languages there is no need for the introduction of minority languages into the public administration. Based on these findings the Committee of Experts concludes that the minority languages are absent from the administration proceedings of Bosnia Herzegovina and that the legislation in force is not in conformity with the Charter.

41. In the previous monitoring cycle, the Committee of Ministers recommended Bosnia and Herzegovina to **“adopt and use traditional forms of place names in the minority languages”**. However, the relevant municipalities have neither adopted place names in minority languages, nor are they using them on place name or street name signs. The Committee of Experts has been informed that certain local sites of importance for the national minorities (e.g. churches, premises of minority associations) or tourists have been signposted also in minority languages, but it is unclear to what extent place names are included. In the framework of a Council of Europe/EU joint programme, relevant municipalities have been offered funding and technical expertise enabling the adoption and use of the place names concerned by the aforementioned recommendation. Regrettably, the local authorities have so far not made use of this offer. The Committee of Experts considers that the authorities of Bosnia and Herzegovina as well as the authorities of Republika Srpska, should inform the municipalities concerned of their obligations under the Charter and support them in implementation, as well as making use of technical support from the Council of Europe.

42. The Committee of Experts has not received adequate information on the implementation of placement of minority language speaker civil servants to areas where those languages are spoken (Article 10.4.c) nor on the use of surnames in minority languages upon requests of the speakers (Article 10.5.), therefore concludes that most undertakings under Article 10 are not fulfilled.

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

43. The Committee of Ministers recommended to authorities of Bosnia and Herzegovina to **“make adequate provision so that public broadcasters offer programmes in the minority languages”**. On the basis of the information available no improvements could be detected since the last monitoring round and as a consequence minority languages are still mainly absent from public television and radio. According to Radio Television of Bosnia and Herzegovina (BHRT) the media house is under financed, there is a shortage of speakers of minority languages who could produce new material and the population of the speakers - meaning the targeted consumer market - is very small; there is a shortage of speakers who would be able to co-operate in the production of new materials for television in a way that would avoid stereotype approach and present national minorities without reference to politics or sensitive social issues. According to the representatives of the BHRT an attempt to produce programmes in minority languages was abandoned because the lack of materials in some languages would have made equal representation of all minorities impossible. The Committee of Experts considers that structured and stable financing of the existing programmes on national minorities have to be secured using sources outside the governmental budget. Currently programmes on minority issues are broadcast in programmes such as “Roots” (“Korijeni”) and “Identities” (“Identiteti”) on television and “With us about us” (“Sa nama o nama”) on the radio. Those programmes are all presented in Bosnian, Croatian and Serbian and are aimed at presenting the cultural heritage and wider range of issues important for the national minorities and contribute to avoiding stereotypes and raising awareness. Neither the television station (BHT1), nor the radio station (BHR1) of the BHRT broadcast content in minority languages. The Committee of Experts points out that the policy of BHRT is not in conformity with the undertakings of Article 11 of the Charter. The Committee of Experts reminds the authorities, that their obligations under Article 11 apply even if the number of speakers is relatively low. Moreover, co-operation with media from neighbouring states that already provide programmes in the same minority languages could be used.

44. Radio Television of Republika Srpska (RTRS) is planning to include short television spots aimed at teaching the basics of the respective minority languages in the programme “Mala Evropa” as a response to the need for such content expressed by speakers of Slovenian, Italian, German, Ukrainian, Hungarian and Czech languages. Co-operation in this respect has started with the Association of Slovenes “Triglav” and with the Association of Hungarians “Magyar Szó”. According to the state authorities the budget has not yet been secured for this project. The Committee of Experts asks the authorities to provide sufficient funds and report on the implementation of this project.

45. According to the authorities there are no daily newspapers or magazines nor media articles in minority languages in Bosnia and Herzegovina. A joint project of the European Union and the Council of Europe called “Strengthening the protection of national minorities in Bosnia and Herzegovina”<sup>19</sup> promoted the use of minority languages in 2018 and 2019 in local media publications.

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

46. The Committee of Ministers recommended that the authorities of Bosnia and Herzegovina “**establish a scheme for financing cultural activities and facilities relating to minority languages**”. The Committee of Experts expressed in the second evaluation report that contrary to the interpretation of Article 12 of the Charter by the state authorities according to which these undertakings apply only in municipalities where minority languages are in official use, it also applies on the territory of those local authorities where users of minority languages represent a sufficient number for the purpose of the respective undertaking, even if they do not reach the threshold contained in the minority laws.<sup>20</sup> Contrary to the territorial application of the Charter according to the third periodical report only two out of the ten cantons of the Federation of Bosnia and Herzegovina have distributed funds for cultural activities of minorities in the form of co-funding. The periodical report does not specify the amount of the contribution.

47. The Zenica-Doboj canton has co-financed events on the occasion of the International Roma Day. Theatre plays were performed partly in Romani, and the municipality of Kakanj supported the establishment of cooperation and the travel of students of Slovenian speakers to their partner school in Cerklje in Slovenia. The Tuzla Canton partially financed projects of the Association of Citizens of Italian Origin and the Association of Citizens of Slovenian Origin. No information on the time span and actual purpose of these grants was provided in the periodical report. These grants were provided from the overall budget of these cantons as in the institutions of the Federation of Bosnia and Herzegovina there are no separate appropriations for financing minority cultural initiatives. According to the periodical report 10 000 KM was granted by the Sarajevo canton to its National Council and an additional 22 000 KM was planned for the Day of National Minorities organised by the same National Council.

48. According to both the periodical report and the speakers’ associations, the contributions provided by the state authorities are only partial, and additional funds must be secured by the speakers’ associations, the “kin-states” and by international organisations to ensure the organisation of their cultural events.

49. As the sporadic examples of contributions to the cultural projects are dispersed all over the country, the Committee of Experts is unable to conclude if there was a change in the interpretation of territorial application of the state authorities described in paragraph 46 of this evaluation report.

50. The Committee of Experts has not received information on the amendment of the project-based system of financing cultural activities in which the minority associations have to apply for financial support for each project. Therefore, it presumes that an established scheme providing regular and stable financial support to cultural activities and facilities using the minority languages does not exist. The Committee of Experts is not in a position to conclude on the implementation of Article 12 of the Charter in this monitoring round either and asks the authorities to provide specific information about the implementation of this undertaking in the next periodical report.

<sup>19</sup> Part of the “Horizontal Facility for the Western Balkans and Turkey”, programme implemented by the Council of Europe.

<sup>20</sup> See para 27 of the 2<sup>nd</sup> evaluation report of the Committee of Experts on Bosnia Herzegovina, also para 12 of the 2<sup>nd</sup> evaluation report of the Committee of Experts on Slovakia

### ***Use of the regional or minority languages in economic life***

51. The third periodical report does not provide the relevant information and the Committee of Experts was not informed of implementation of the undertakings under Article 13 of the Charter in this monitoring round. The Committee of Experts interprets the repeated lack of information about the implementation as an indication that this undertaking is not fulfilled.

### ***Use of the regional or minority languages in transfrontier exchanges***

52. The authorities do not provide relevant information on the implementation on Article 14 in the third periodical report. The Committee of Experts reiterates that the international agreements on legal assistance and cooperation referred to by the state authorities are not subject to the implementation of the Charter. Furthermore, no information was received on how the authorities support cross-border minority contacts.

## **1.2 The situation of the individual regional or minority languages in Bosnia Herzegovina<sup>21</sup>**

### **Albanian**

53. According to the data of the 2013 census 2659 residents declared themselves as Albanian. 2420 declared Albanian as their mother tongue. However, according to the representatives of the speakers the actual figure is closer to 12 000, because the majority of Albanians have rather chosen to hide their ethnic/national identity or to declare as one of the constituent nations of Bosnia and Herzegovina.<sup>22</sup> The speakers believe that the majority of Albanians speak their mother tongue at some level. The majority of the speakers reside in Bihać and Mostar in the Federation of Bosnia and Herzegovina and only a few families remained on the territory of Republika Srpska.

54. Albanian is completely absent from public education. The speakers organise courses of Albanian themselves on a voluntarily basis, without any financial support from the authorities. They are unable to pay for qualified teachers and are short of teaching materials. According to the speakers they lack the knowledge necessary to comply with the complex regulations set for the application procedure of financial support of the cultural activities in general. Since the last monitoring round all applications have failed. There is no financial support from Albania.

55. There are no TV or radio programmes in Albanian. A speakers' organisation from Tuzla publishes a bi-lingual magazine in Albanian and Bosnian, occasionally.

56. Although the speakers have a representative in the Council of National Minorities of Bosnia and Herzegovina, according to them consultation between the authorities and that body is very rare. Their organisation has never been invited to talks with the state authorities.

### **Czech**

57. According to the data of the 2013 census 279 residents declared themselves as Czechs mainly on the territory of Republika Srpska. Czech is not taught at any level of public education. According to the representatives of the minority speakers they live in small enclaves and only a fraction uses Czech in private interactions. On-line language courses are organised as a joint initiative of the speakers, language institutes from the Czech Republic and Czech Embassy in Sarajevo. The embassy also organises and supports language courses mainly for younger generation of speakers. Financing is provided by those institutions, only. According to the speakers the awareness raising for their minority language in Bosnia and Herzegovina is hampered by the fact that Czech language has always been used in the private sphere. Czech used to be taught as an optional course for the past ten years at the University of Banja Luka, however, due to the lack of resources it was discontinued. Research on Czech language was stopped because of lack of interest and financial reasons.

<sup>21</sup> Due to the absence of teaching of minority languages in almost all levels of public education and in most of minority languages protected by the Charter in Bosnia and Herzegovina, the Committee of Experts shall indicate information on education only where applicable in Chapter 1.2 of this report.

<sup>22</sup> See also para 29-31 of the Fourth Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) on Bosnia and Herzegovina, adopted on 9 November 2017



58. According to the speakers they receive funding mainly from the Czech Republic. A smaller contribution in a form of project-based funding was received from the Government of Republika Srpska, and from the city of Banja Luka that also provides a venue for their cultural activities. These contributions are only co-financing their projects. The Czech Embassy provided printers and computers. The association promotes Czech culture in the form of presenting folk song, translating Czech literature to Bosnian and teaching elements of the history of their ancestors who settled in Bosnia and Herzegovina.

59. Czech language is absent from television and radio. Some television channels can be received through satellite and the internet. The speakers have been publishing a bulletin since 1998. The initial frequency of the issues had to be reduced from an annual 2-3 bulletins to 1-2 bulletins. The Czech language version of the bulletin was discontinued because of lack of funds for translation, therefore the last 2-3 issues were released in Serbian, only. The bulletin is available only in printed version, as it is the preferred form of the ageing members of their community. Some bulletins in Czech are received from Croatia. Films in Czech language are occasionally broadcast on Croatian television channels also available in Bosnia and Herzegovina.

### **German**

60. According to the data of the 2013 census 365 residents declared themselves as Germans and 62 residents as Austrians. 632 declared German as their mother tongue. German language is taught as a foreign language at all levels of public education including teaching in and of German at universities. Goethe Institute and the Austrian Institute offer a wide range of courses. A private school is operating in Sarajevo where the language of instruction and the curriculum are German.

61. German language is present in television and radio only in form of a German cultural influence from abroad, but the speakers' events or life in Bosnia and Herzegovina are not presented. Only sporadic financial support was granted for cultural events of their community from the Sarajevo Canton.

### **Hungarian**

62. According to the data of the 2013 census 350 residents declared themselves as Hungarians. The Committee of Experts met the representatives of the speakers both from Republika Srpska and the Federation of Bosnia and Herzegovina who confirmed that there is no teaching of Hungarian language in any level of the public education. There are no studies in or of Hungarian at university level, either. The representatives of speakers expressed their concern that their community is too small to start even one class in public education.

63. Hungarian is taught in the framework of projects organised by the associations and mostly supported by the Hungarian government in the form of financing and providing teachers in the framework of the "Petőfi Sándor Programme". The association from Banja Luka was organising these language courses for the past seven years, however, in 2020 the courses were discontinued due to Covid-19 pandemic. The language courses are also popular amongst non-Hungarians because the language knowledge is required for acquiring Hungarian citizenship. Occasional project-based funding for cultural activities is also provided by the government of Republika Srpska and the city of Banja Luka. The Sarajevo-based association claimed that all their applications were unsuccessful, therefore they have not received financial support from the state authorities at all.

64. The two associations of speakers are publishing a joint bilingual (Hungarian and Serbian) newsletter called "Új Dobos" since 2006 with the financial support of Hungary. The articles are written and translated by the members, and a couple of issues are published annually. The newsletter is available online. The Hungarian language is absent from television and radio except for occasional appearances in the "Mala Evropa". A few Hungarian television channels can be received in Bosnia and Herzegovina by cable or on the internet.

65. The two associations maintain relations with Hungarian associations from the Autonomous Province of Vojvodina in Serbia and with cultural associations from Hungary. Both associations reported lack of support from the authorities and the failure of engagement in consultations with the representatives of the speakers.

## Italian

66. According to the data of the 2013 census 391 residents declared themselves as Italians. The majority of the speakers resides around Tuzla, Štivor and Prnjavor. Italian is available as a minority language in primary public education system in Republika Srpska, according to the authorities. Italian is also taught as a second language in one primary school in Sarajevo from grades 6 to 9, two gymnasiums in Sarajevo and in one secondary school in Banja Luka as a minority language. The education is mostly funded by Italy, including teaching materials and teachers. Italian language courses are offered in universities of Sarajevo, Banja Luka and Tuzla. The minority association called Dante Alighieri organises language courses for a nominal fee because the costs are mainly covered by Italy and some Italian cities such as Milan. These courses are open for anyone interested to learn the language.

67. The association published a bi-lingual bulletin, but it was discontinued for financial reasons. Once a year the association is invited to appear on “Mala Evropa” together with the representatives of other minority associations. The Italian government finances some coverage of the events organised by these two associations on the internet. During the Covid-19 lockdown one association organised a few language lessons online.

68. According to the speakers no financial support was received from any level of State authorities. The language classes are supported by the Italian government. The lack of financial support resulted in giving up the rent of their previous meeting venue and the association has its gatherings at the seat of the Jewish community free of charge. The speakers complained that there is no financial support from the authorities. They even have to pay a charge to the State for the renewal of registration of their organisations every four years.

69. The speakers consider that the “Minority Law” offers adequate protection and support for the national minorities, but the State authorities failed to implement that law. In their point of view, the consultation between the State authorities and the speakers is insufficient.

## Ladino

70. According to the data of the 2013 census 262 residents declared themselves as Jews. It is unclear to the Committee of Experts how many speakers there are of either Ladino or Yiddish. A bulletin called “Jevrejski Glas” (Jewish Voice) is available only on the internet and in Bosnian language. According to the short statement of the representative of their association there are practically no speakers of Ladino left in Bosnia and Herzegovina. Their bulletin is presenting the cultural, religious and linguistic heritage of the Jewish community of Bosnia and Herzegovina. A three-month Ladino language course was organised and financed by the association in Banja Luka, but it was discontinued, according to a representative. The Committee of Experts asks the authorities to initiate a dialogue with the speakers’ associations to support the revitalisation of this language. Decisive steps should also be taken in co-operation with speakers from abroad. Based on the status of Ladino in Bosnia and Herzegovina and the decision made in the second monitoring cycle<sup>23</sup> the Committee of Experts will not evaluate the Part III undertakings of this language.

## Polish

71. According to the data of the 2013 census 258 residents declared themselves as Poles. The Committee of Experts noted with regret that the periodical report did not contain information on the speakers, meeting the speakers was not possible during the on-the-spot visit and information was not provided by them on the situation of their minority language.

## Romani

72. According to the data of the 2013 census 12 583 residents declared themselves as Roma. 5 766 declared Romani as their mother tongue. Roma reside mainly in the Kakanj and Visoko areas. The minority representative claimed that many Roma declared themselves as Bosnians instead of Roma.

73. Romani is not taught at any level of public education or at the university level. A Bosnian-Romani dictionary has been completed and published. According to a representative of the association despite several requests made to the Ministry of Human Rights and Refugees the authorities of the Sarajevo Canton and the Office of the High Representative (OHR) in Bosnia and Herzegovina the introduction of Romani into the school

<sup>23</sup> See para 27 of the 2<sup>nd</sup> evaluation report of the Committee of Experts on Bosnia and Herzegovina

system has failed. The speakers' association organise courses on voluntary basis with no financial support from the State authorities. The speakers' associations provide interpretation services and language assistance at schools because children face communication difficulties, and the state authorities seldom provide interpretation.

74. Romani is absent from print media and from public television and radio. "Alfa TV", a private channel stopped broadcasting the only programme in Romani in 2013. Some television programmes in Romani from North Macedonia and Serbia are available in Bosnia and Herzegovina. Kali Sara has a website ([www.kalisara-ric.ba](http://www.kalisara-ric.ba)) exclusively in Bosnian language. This association did not receive any funding from the state authorities except for a one-off grant worth 1 000 KM for the celebration of the International Roma Day.

75. According to the speakers the state authorities would rather finance projects aimed at improving the housing and general education of Roma in Bosnian language over supporting minority language projects. Occasional funding was received from the international NGOs and the Council of Europe Office in Sarajevo. The Framework Action Plan on Educational Needs of Roma (2018-2022) adopted by the Council of Ministers has not been implemented and lacks funds. Nevertheless, Republika Srpska and three cantons have adopted their action plans.

76. Cases of alleged discrimination based on prejudice and stereotype in connection with Roma were reported by the speakers' representative during the on-the-spot-visit. Most of the incidents are never reported to the authorities, according to a representative of Roma (see also para 24 of this report).

### **Romanian**

77. According to the data of the 2013 census 109 residents declared themselves as Romanians, mainly on the territory of Republika Srpska. They are represented in the National Minority Councils. The Committee of Experts regrets that meetings could not be organised with the representatives and that information was not provided by them on the situation of their minority language.

### **Ruthenian**

78. According to the data of the 2013 census 32 residents declared themselves as Ruthenians. They are represented in the National Minority Councils. The Committee of Experts regrets that meetings could not be organised with the representatives and that information was not provided by them on the situation of their language in the third periodical report and asks the authorities to clarify the situation of the Ruthenian language in the next monitoring cycle.

### **Slovak**

79. According to the data of the 2013 census 173 residents declared themselves as Slovaks. The speakers have minority associations and are represented in the National Minority Councils. The Committee of Experts regrets that meetings could not be organised with the representatives and that information was not provided by them on the situation of their language.

### **Slovenian**

80. According to the data of the 2013 census 937 residents declared themselves as Slovenians. Slovenian is not taught at any level of public education except for a Department of Slavic Languages at Sarajevo, and Banja Luka universities with 20 students. The speakers' association organises language classes in the form of financial support and qualified teachers from the Slovenian government. The lessons are free for the members of the association. Slovenian has not been used in public services in Bosnia and Herzegovina, according to the speakers.

81. The association carries out language-based projects which are mainly financed by the Slovenian government, but some funds are provided by the city of Banja Luka and the state authorities at different levels. The financial contribution is depending on the capabilities of the budget therefore it is not sustained nor structured.

82. The association publishes an annual bulletin presenting all the activities that were carried out during that year. There is also a bi-lingual children's bulletin, issued in June at the end of the school year, more focused on providing extra teaching material for the teaching lessons. Slovenian is absent from all types of media. Television and radio channels are available from Slovenia.

## Turkish

83. According to the data of the 2013 census 1108 residents declared themselves as Turks. 1233 residents declared Turkish as their mother tongue. The demand for teaching Turkish is due to the wave of recent immigration and the teaching is organised by cultural institutions funded and operated by Turkey. According to the periodical report the number of students learning Turkish is increasing. The language courses are organised almost entirely by the “Yunus Emre Institute” financed by the Turkish government.

## Ukrainian

84. According to the data of the 2013 census 2331 residents declared themselves as Ukrainians. 1081 declared Ukrainian as their mother tongue. The speakers have several minority associations, and they are represented in the National Minority Councils. Although there were efforts to introduce the Ukrainian language as a subject at the University of Banja Luka the project was never implemented. The Committee of Experts regrets that meetings could not be organised with the representatives and that information was not provided by them on the situation of their language.

## Yiddish

85. According to the data of the 2013 census 262 residents declared themselves as Jews. It is unclear to the Committee of Experts how many speakers there are of either Ladino or Yiddish. Their bulletin called “Jevrejski Glas” (Jewish Voice) is available only on the internet and in Bosnian language. According to the short statement of the representative of their speakers’ association there are practically no speakers of Yiddish left in Bosnia and Herzegovina. Their bulletin is presenting the cultural, religious and linguistic heritage of the Jewish community of Bosnia and Herzegovina. The Committee of Experts asks the authorities to initiate a dialogue with the speakers’ associations to support the revitalisation of this language. Decisive steps should also be taken in co-operation with speakers from abroad. Based on the status of Yiddish in Bosnia and Herzegovina and the decision made in the second monitoring cycle,<sup>24</sup> the Committee of Experts will not evaluate the Part III undertakings of this language.

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<sup>24</sup> See para 84 of the 2<sup>nd</sup> evaluation report of the Committee of Experts on Bosnia and Herzegovina

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

### 2.1 Albanian

#### 2.1.1 Compliance of Bosnia and Herzegovina with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Albanian

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 Bosnia and Herzegovina concerning Albanian <sup>25</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Albanian 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 Albanian	=			
7.1.c	resolute action to promote Albanian				=
7.1.d	facilitation and/or encouragement of the use of Albanian, 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 Albanian • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Albanian at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Albanian to learn it				=
7.1.h	promotion of study and research on Albanian at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Albanian				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Albanian				=
7.3	• promote mutual understanding between all the linguistic groups of the country, • promote the inclusion of respect, understanding and tolerance in relation to Albanian among the objectives of education and training, • encourage the mass media to include respect, understanding and tolerance in relation to Albanian among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Albanian • establish a body for the purpose of advising the authorities on all matters pertaining to Albanian		=		
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in Albanian or a substantial part of pre-school education in Albanian at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in Albanian, a substantial part of primary education in Albanian or teaching of Albanian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.civ	make available secondary education in Albanian, a substantial part of secondary education in Albanian or teaching of Albanian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.div	make available technical and vocational education in Albanian, a substantial part of technical and vocational education in Albanian or teaching of Albanian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=

<sup>25</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Albanian <sup>25</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled no conclusion
8.1.g	ensure the teaching of the history and the culture which is reflected by Albanian				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a.ii	guarantee the accused the right to use Albanian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Albanian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Albanian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.b.iii	allow documents and evidence to be produced in Albanian in civil proceedings, if necessary by the use of interpreters and translations				=
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Albanian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.c.iii	allow documents and evidence to be produced in Albanian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Albanian				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.a.v	ensure that users of Albanian may submit oral or written applications in Albanian to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Albanian				=
10.2.a	use of Albanian within the framework of the regional or local authority				=
10.2.b	possibility for users of Albanian to submit oral or written applications in Albanian to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Albanian				=
10.3.c	allow users of Albanian to submit a request in Albanian to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Albanian to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Albanian		=		
<b>Art. 11 – Media</b>					
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Albanian				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Albanian				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Albanian on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Albanian				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Albanian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Albanian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Albanian</li> </ul>	=			
11.3	ensure that the interests of the users of Albanian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Albanian				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Albanian				✓
12.1.f	encourage direct participation by representatives of the users of Albanian 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 Albanian				✓
12.2	In territories other than those in which Albanian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Albanian				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Albanian <sup>25</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Albanian in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Albanian in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Albanian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Albanian in the States concerned in the fields of culture, education, information, vocational training and permanent education				✓
14.b	for the benefit of Albanian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Albanian 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1.c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Albanian in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>26</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.
- b. Provide appropriate forms and means for the teaching of Albanian at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.
- c. Establish a scheme for financing activities and facilities relating to the promotion of Albanian.

#### II. Further recommendations

- d. Make adequate provision so that public broadcasters offer programmes in Albanian, including programmes for children.

<sup>26</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- e. Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- f. Ensure sufficient financial means for teaching Albanian, start teacher training, develop teaching materials.
- g. Promote study and research of Albanian at university and equivalent institutions.
- h. Raise awareness of Albanian as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Albanian.
- j. Amend legislation to allow the use of Albanian in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.



## 2.2 Czech

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

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Czech <sup>27</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b><i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i></b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Czech as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Czech	=			
7.1.c	resolute action to promote Czech				=
7.1.d	facilitation and/or encouragement of the use of Czech, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life				=
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Czech • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Czech at all appropriate stages				✓
7.1.g	provision of facilities enabling (also adult) non-speakers of Czech to learn it				=
7.1.h	promotion of study and research on Czech at universities or equivalent institutions				✓
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Czech				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Czech				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Czech among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Czech among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Czech • establish a body for the purpose of advising the authorities on all matters pertaining to Czech		=		
<b>Part III of the Charter</b> <b><i>(Additional undertakings chosen by the state for specific languages)</i></b>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in Czech or a substantial part of pre-school education in Czech at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in Czech, a substantial part of primary education in Czech or teaching of Czech as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.civ	make available secondary education in Czech, a substantial part of secondary education in Czech or teaching of Czech as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.div	make available technical and vocational education in Czech, a substantial part of technical and vocational education in Czech or teaching of Czech as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Czech				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a	guarantee the accused the right to use Czech in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=

<sup>27</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Czech <sup>27</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled no conclusion
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Czech, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Czech in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.b.iii	allow documents and evidence to be produced in Czech in civil proceedings, if necessary by the use of interpreters and translations				=
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Czech in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.c.iii	allow documents and evidence to be produced in Czech in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Czech				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.a.v	ensure that users of Czech may submit oral or written applications in Czech to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Czech				=
10.2.a	use of Czech within the framework of the regional or local authority				=
10.2.b	possibility for users of Czech to submit oral or written applications in Czech to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Czech				=
10.3.c	allow users of Czech to submit a request in Czech Albanian to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Czech to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Czech		=		
<b>Art. 11 – Media</b>					
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Czech				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station Czech				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Czech on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Czech				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Czech</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Czech</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Czech</li> </ul>	=			
11.3	ensure that the interests of the users of Czech are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Czech				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Czech				✓
12.1.f	encourage direct participation by representatives of the users of Czech 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 Czech				✓
12.2	In territories other than those in which Czech is traditionally used, allow, encourage and/or provide cultural activities and facilities using Czech				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Czech in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Czech in economic and social life				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Czech <sup>27</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Czech is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Czech in the States concerned in the fields of culture, education, information, vocational training and permanent education				✓
14.b	for the benefit of Czech, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Czech 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1.c, d, Article 14.a as an indication that these undertakings are not fulfilled.

89. Czech used to be taught as an optional course for the past ten years at the University of Banja Luka, however, due to the lack of resources it was discontinued. Research on Czech language was stopped for lack of interest and financial reasons. The Committee concludes that Article 7.1.f and 7.1.g are not fulfilled.

90. The Czech language version of the bulletin of the speakers' association was discontinued because of persistent lack of funds for translation. The Committee of Experts points out that the corresponding undertakings were already marked as not fulfilled in the previous evaluation report.

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

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>28</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching of Czech at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Czech.**

<sup>28</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

**II. Further recommendations**

- d. Make adequate provision so that public broadcasters offer programmes in Czech, including programmes for children.
- e. Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- f. Ensure sufficient financial means for teaching Czech, start teacher training, develop teaching materials.
- g. Promote study and research of Czech at university and equivalent institutions.
- h. Raise awareness of Czech as a minority language in the society.
- i. Ensure the teaching of the history and the culture which is reflected by Czech.
- j. Amend legislation to allow the use of Czech in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.

## 2.3 German

### 2.3.1 Compliance of Bosnia and Herzegovina 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 Bosnia and Herzegovina concerning German <sup>29</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
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		=		
<b>Part III of the Charter</b> <b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in German or a substantial part of pre-school education in German at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in German, a substantial part of primary education in German or teaching of German as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.civ	make available secondary education in German, a substantial part of secondary education in German or teaching of German as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient		=		
8.1.div	make available technical and vocational education in German, a substantial part of technical and vocational education in German or teaching of German as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by German				=
<b>Art. 9 – Judicial authorities</b>					
9.1.iii	guarantee the accused the right to use German in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in German, if				=

<sup>29</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning German <sup>29</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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 German 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 German 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 A German 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 German in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in German				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.ai v	ensure that users of German may submit oral or written applications in German to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in German				=
10.2.a	use of German within the framework of the regional or local authority				=
10.2.b	possibility for users of German to submit oral or written applications in to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in German				=
10.3.c	allow users of German to submit a request in German to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of German to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in German		=		
<b>Art. 11 – Media</b>					
11.1.iii	make provision so that public broadcasters offer radio and television programmes in German				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in German				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in German on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in German				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in German</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in German</li> <li>• ensure the freedom of expression and free circulation of information in the written press in German</li> </ul>	=			
11.3	ensure that the interests of the users of German are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in German				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of German				✓
12.1.f	encourage direct participation by representatives of the users of German 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 German				✓
12.2	In territories other than those in which German is traditionally used, allow, encourage and/or provide cultural activities and facilities using German				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of German in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of German in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Albanian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of German				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning German <sup>29</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	in the States concerned in the fields of culture, education, information, vocational training and permanent education				
14.b	for the benefit of German, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory German 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1.c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of German in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>30</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.
- b. Provide appropriate forms and means for the teaching of German at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.
- c. Establish a scheme for financing activities and facilities relating to the promotion of German.

#### II. Further recommendations

- d. Make adequate provision so that public broadcasters offer programmes in German, including programmes for children.
- e. Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- f. Ensure sufficient financial means for teaching German, start teacher training, develop teaching materials.
- g. Promote study and research of German at university and equivalent institutions.
- h. Raise awareness of German as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by German.

<sup>30</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- j. Amend legislation to allow the use of German in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.



## 2.4 Hungarian

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

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

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Hungarian <sup>31</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Hungarian as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Hungarian	=			
7.1.c	resolute action to promote Hungarian				=
7.1.d	facilitation and/or encouragement of the use of Hungarian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life				=
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Hungarian • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Hungarian at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Hungarian to learn it				=
7.1.h	promotion of study and research on Hungarian at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Hungarian				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Hungarian				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Hungarian among the objectives of education and training encourage the mass media to include respect, • understanding and tolerance in relation to Hungarian among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Hungarian • establish a body for the purpose of advising the authorities on all matters pertaining to Hungarian		=		
<b>Part III of the Charter</b> <b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in Hungarian or a substantial part of pre-school education in Hungarian at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in Hungarian, a substantial part of primary education in Hungarian or teaching of Hungarian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.civ	make available secondary education in Hungarian, a substantial part of secondary education in Hungarian or teaching of Hungarian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.div	make available technical and vocational education in Hungarian, a substantial part of technical and vocational education in Hungarian or teaching of Hungarian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Hungarian				=
<b>Art. 9 – Judicial authorities</b>					
9.1.iii	guarantee the accused the right to use Hungarian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Hungarian, if				=

<sup>31</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Hungarian <sup>31</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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 A Hungarian 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 Hungarian 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 A Hungarian 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 Hungarian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Hungarian				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.ai v	ensure that users of Hungarian may submit oral or written applications in Hungarian to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Hungarian				=
10.2.a	use of Hungarian within the framework of the regional or local authority				=
10.2.b	possibility for users of Hungarian to submit oral or written applications in Hungarian to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Hungarian				=
10.3.c	allow users of Hungarian to submit a request in Hungarian to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Hungarian to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Hungarian		=		
<b>Art. 11 – Media</b>					
11.1.iii	make provision so that public broadcasters offer radio and television programmes in Hungarian				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Hungarian				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Hungarian on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Hungarian				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Hungarian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Hungarian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Hungarian</li> </ul>	=			
11.3	ensure that the interests of the users of Hungarian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Hungarian				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Hungarian				✓
12.1.f	encourage direct participation by representatives of the users of Hungarian 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				✓
12.2	In territories other than those in which Hungarian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Hungarian				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Hungarian in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Hungarian in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Hungarian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Hungarian <sup>31</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	Hungarian in the States concerned in the fields of culture, education, information, vocational training and permanent education				
14.b	for the benefit of Hungarian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Hungarian is used in identical or similar form				✓

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

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

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

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

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

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

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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.4.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Hungarian in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>32</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. **Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- b. **Provide appropriate forms and means for the teaching of Hungarian at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- c. **Establish a scheme for financing activities and facilities relating to the promotion of Hungarian.**

#### II. Further recommendations

- d. Make adequate provision so that public broadcasters offer programmes in Hungarian, including programmes for children.
- e. Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- f. Ensure sufficient financial means for teaching Hungarian, start teacher training, develop teaching materials.
- g. Promote study and research of Hungarian at university and equivalent institutions.
- h. Raise awareness of Hungarian as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Hungarian.

<sup>32</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- j. Amend legislation to allow the use of Hungarian in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.

## 2.5 Italian

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

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Italian <sup>33</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled no conclusion
<b>Part II of the Charter</b> <b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Italian 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 Italian	=			
7.1.c	resolute action to promote Italian				=
7.1.d	facilitation and/or encouragement of the use of Italian, 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 Italian • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Italian at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Italian to learn it				=
7.1.h	promotion of study and research on Italian at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Italian				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Italian				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Italian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Italian among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Albanian • establish a body for the purpose of advising the authorities on all matters pertaining to Italian		=		
<b>Part III of the Charter</b> <b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.a.iii	make available pre-school education in Italian or a substantial part of pre-school education in Italian at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.b.iv	make available primary education in Italian, a substantial part of primary education in Italian or teaching of Italian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient		=		
8.1.c.iv	make available secondary education in Italian, a substantial part of secondary education in Italian or teaching of Italian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient		=		
8.1.d.iv	make available technical and vocational education in Italian, a substantial part of technical and vocational education in Italian or teaching of Italian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient	=			
8.1.g	ensure the teaching of the history and the culture which is reflected by Italian				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a.ii	guarantee the accused the right to use Italian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Italian, if necessary				=

<sup>33</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty+No.+148\)](http://www.coe.int/en/web/conventions/(treaty+No.+148)).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Italian <sup>33</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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 Italian 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 Italian 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 Italian 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 Italian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Italian				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.ai v	ensure that users of Italian may submit oral or written applications in Italian to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Italian				=
10.2.a	use of Italian within the framework of the regional or local authority				=
10.2.b	possibility for users of Italian to submit oral or written applications in Italian to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Italian		=		
10.3.c	allow users of Italian to submit a request in Italian to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Italian to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Italian		=		
<b>Art. 11 – Media</b>					
11.1.iii	make provision so that public broadcasters offer radio and television programmes in Italian				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Italian				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Italian on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Italian				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Italian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Italian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Italian</li> </ul>	=			
11.3	ensure that the interests of the users of Italian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Italian				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Italian				✓
12.1.f	encourage direct participation by representatives of the users of Italian 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 Italian				✓
12.2	In territories other than those in which Italian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Italian				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Italian in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Italian in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Italian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Italian				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Italian <sup>33</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	in the States concerned in the fields of culture, education, information, vocational training and permanent education				
14.b	for the benefit of Italian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Italian 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

91. The publication of the bulletin of the speakers' associations was stopped and the association's meeting venue had to be abandoned for lack of funding. The Committee of Experts points out that the corresponding undertakings were already marked as not fulfilled in the previous evaluation report.

### 2.5.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Italian in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>34</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching of Italian at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Italian.**

#### II. Further recommendations

- Make adequate provision so that public broadcasters offer programmes in Italian, including programmes for children.
- Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- Ensure sufficient financial means for teaching Italian, start teacher training, develop teaching materials.

<sup>34</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- g. Promote study and research of Italian at university and equivalent institutions.
- h. Raise awareness of Italian as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Italian.
- j. Amend legislation to allow the use of Italian in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.



## 2.6 Ladino

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

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Ladino <sup>35</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b>					
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Ladino 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 Ladino	=			
7.1.c	resolute action to promote Ladino				=
7.1.d	facilitation and/or encouragement of the use of Ladino, 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 Ladino • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Ladino at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Ladino to learn it				=
7.1.h	promotion of study and research on Ladino at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Ladino				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Ladino				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Ladino among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Ladino among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Ladino • establish a body for the purpose of advising the authorities on all matters pertaining to Ladino		=		
<b>Part III of the Charter<sup>36</sup></b>					
<i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.a.iii	make available pre-school education in Ladino or a substantial part of pre-school education in Ladino at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.b.iv	make available primary education in Ladino, a substantial part of primary education in Ladino or teaching of Ladino as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.c.v	make available secondary education in Ladino, a substantial part of secondary education in Ladino or teaching of Ladino as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.d.vi	make available technical Ladino and vocational education in Ladino, a substantial part of technical and vocational education in or teaching of Ladino as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Ladino				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a.ii	guarantee the accused the right to use Ladino in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=

<sup>35</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<sup>36</sup> See para 70 of this report

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Bosnia and Herzegovina concerning Ladino <sup>35</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Ladino, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned					=
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Y Ladino in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations					=
9.1.b.iii	allow documents and evidence to be produced in Ladino in civil proceedings, if necessary by the use of interpreters and translations					=
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Ladino in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations					=
9.1.c.iii	allow documents and evidence to be produced in Ladino in proceedings concerning administrative matters, if necessary by the use of interpreters and translations					=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Ladino					=
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.a.i v	ensure that users of Ladino may submit oral or written applications in Ladino to local branches of the national authorities					=
10.1.c	allow the national authorities to draft documents in Ladino					=
10.2.a	use of Ladino within the framework of the regional or local authority					=
10.2.b	possibility for users of Ladino to submit oral or written applications in Ladino to the regional or local authority					=
10.2.g	use or adoption, if necessary, in conjunction with the name in the official language, of place names in Ladino					=
10.3.c	allow users of Ladino to submit a request in Ladino to public service providers					=
10.4.c	comply with requests from public service employees having a knowledge of Ladino to be appointed in the territory in which that language is used					=
10.5	allow the use or adoption of family names in and Ladino					=
<b>Art. 11 – Media</b>						
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Ladino					=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in and Ladino					=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Ladino on a regular basis					=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in and Ladino					=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Ladino</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Ladino</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Ladino</li> </ul>					=
11.3	ensure that the interests of the users of Ladino are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media					=
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Ladino					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Ladino					=
12.1.f	encourage direct participation by representatives of the users of Ladino 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 Ladino					=
12.2	In territories other than those in which Ladino is traditionally used, allow, encourage and/or provide cultural activities and facilities using Ladino					=
<b>Art. 13 – Economic and social life</b>						
13.1.c	oppose practices designed to discourage the use of Ladino in connection with economic or social activities					=
13.1.d	facilitate and/or encourage the use of Ladino in economic and social life					=

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Bosnia and Herzegovina concerning Ladino <sup>35</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Art. 14 – Transfrontier exchanges						
14.a	apply bilateral and multilateral agreements with the States in which Ladino is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Ladino in the States concerned in the fields of culture, education, information, vocational training and permanent education					"
14.b	for the benefit of Ladino, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Ladino 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.

## 2.6.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Ladino in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>37</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### I. Recommendations for immediate action

- |   |
|---|
| a. <b>Increase the awareness of Ladino as a minority language in Bosnia and Herzegovina.</b><br>b. <b>Provide appropriate forms and means for revitalisation of Ladino.</b> |
|---|

### II. Further recommendations

- c. Provide financial support for the promotion of Ladino.
- d. Promote study and research of Ladino at university and equivalent institutions.
- e. Ensure the teaching of the history and the culture which is reflected by Ladino.

<sup>37</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

## 2.7 Polish

### 2.7.1 Compliance of Bosnia and Herzegovina 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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Polish <sup>38</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b><i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i></b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of 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		=		
<b>Part III of the Charter</b> <b><i>(Additional undertakings chosen by the state for specific languages)</i></b>					
<b>Art. 8 – Education</b>					
8.1.a.iii	make available pre-school education in Polish or a substantial part of pre-school education in Polish at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.b.iv	make available primary education in Polish, a substantial part of primary education in Polish or teaching of Polish as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.c.iv	make available secondary education in Polish, a substantial part of secondary education in Polish or teaching of Polish as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.d.iv	make available technical and vocational education in Polish, a substantial part of technical and vocational education in Polish or teaching of Polish as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Polish				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a.ii	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.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Polish, if necessary				=

<sup>38</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Polish <sup>38</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Polish				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.ai v	ensure that users of Polish may submit oral or written applications in Polish to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Polish				=
10.2.a	use of Polish within the framework of the regional or local authority				=
10.2.b	possibility for users of Polish to submit oral or written applications in Polish to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Polish				=
10.3.c	allow users of Polish to submit a request in Polish to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Polish to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Polish		=		
<b>Art. 11 – Media</b>					
11.1.iii	make provision so that public broadcasters offer radio and television programmes in Polish				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Polish				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Polish on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Polish				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Polish</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Polish</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Polish</li> </ul>	=			
11.3	ensure that the interests of the users of Polish are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Polish				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of 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				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Polish in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Polish in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
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				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Polish <sup>38</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.7.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Polish in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>39</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching of Polish at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Polish.**

#### II. Further recommendations

- Make adequate provision so that public broadcasters offer programmes in Polish, including programmes for children.
- Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- Ensure sufficient financial means for teaching Polish, start teacher training, develop teaching materials.
- Promote study and research of Polish at university and equivalent institutions.
- Raise awareness of Polish as a minority language in the society.
- Ensure teaching of the history and culture which is reflected by Polish.
- Amend legislation to allow the use of Polish in court free of charge.
- Promote cross-border co-operations particularly between speakers' organisations.

#### 2.8 Romani

<sup>39</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

### 2.8.1 Compliance of Bosnia and Herzegovina 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 Bosnia and Herzegovina concerning Romani <sup>40</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Romani as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Romani	=			
7.1.c	resolute action to promote Romani				=
7.1.d	facilitation and/or encouragement of the use of Romani, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life				=
7.1.e	• 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 A Romani		=		
<b>Part III of the Charter</b> <b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in Romani or a substantial part of pre-school education in Romani at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in Romani, a substantial part of primary education in Romani or teaching of Romani as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.civ	make available secondary education in Romani, a substantial part of secondary education in Romani or teaching of Romani as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.div	make available technical and vocational education in Romani, a substantial part of technical and vocational education in Romani or teaching of Romani as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.eiii	encourage and/or allow the provision of university or other forms of higher education in Romani or of facilities for the study of Romani as an university or higher education subject				=
8.1.fiii	favour and/or encourage the offering of Romani as a subject of adult and continuing education				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Romani				=
<b>Art. 9 – Judicial authorities</b>					
9.1.ii	guarantee the accused the right to use Romani in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=

<sup>40</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty+No.+148\)](http://www.coe.int/en/web/conventions/(treaty+No.+148)).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Romani <sup>40</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled no conclusion
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Romani, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Romani in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.b.iii	allow documents and evidence to be produced in Romani in civil proceedings, if necessary by the use of interpreters and translations				=
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Romani in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.c.iii	allow documents and evidence to be produced in Romani in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Romani				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.a.v	ensure that users of Romani may submit oral or written applications in Romani to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Romani				=
10.2.a	use of Romani within the framework of the regional or local authority				=
10.2.b	possibility for users of Romani to submit oral or written applications in Romani to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Romani				=
10.3.c	allow users of Romani to submit a request in Romani to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Romani to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Romani		=		
<b>Art. 11 – Media</b>					
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Romani				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Romani				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Romani on a regular basis				=
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Romani				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Romani				=
11.1.g	support the training of journalists and other staff for media using Romani				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Romani</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Romani</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Romani</li> </ul>		=		
11.3	ensure that the interests of the users of Romani are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Romani		=		
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Romani				✓
12.1.f	encourage direct participation by representatives of the users of Romani 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 Romani				✓
12.2	In territories other than those in which Romani is traditionally used, allow, encourage and/or provide cultural activities and facilities using Romani				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Romani in connection with economic or social activities				✓



The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Romani <sup>40</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
13.1.d	facilitate and/or encourage the use of Romani in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Romani is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Romani in the States concerned in the fields of culture, education, information, vocational training and permanent education				✓
14.b	for the benefit of Romani, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Romani 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.8.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Romani in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>41</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching in/of Romani at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Romani.**

#### II. Further recommendations

- Make adequate provision so that public broadcasters offer programmes in Romani, including programmes for children.
- Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- Ensure sufficient financial means for teaching Romani, start teacher training, develop teaching materials.

<sup>41</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- g. Promote study and research of Romani at university and equivalent institutions.
- h. Raise awareness of Romani as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Romani.
- j. Amend legislation to allow the use of Romani in court free of charge.
- k. Support the training of journalists and other staff using Romani.
- l. Promote cross-border co-operations particularly between speakers' organisations.

## 2.9 Romanian

### 2.9.1 Compliance of Bosnia and Herzegovina with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Romanian

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Romanian <sup>42</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Romanian 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 Romanian	=			
7.1.c	resolute action to promote Romanian				=
7.1.d	facilitation and/or encouragement of the use of Romanian, 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 Romanian • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Romanian at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Romanian to learn it				=
7.1.h	promotion of study and research on Romanian at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Romanian				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Romanian				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Romanian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Romanian among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Romanian • establish a body for the purpose of advising the authorities on all matters pertaining to Romanian		=		
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.a.iii	make available pre-school education in Romanian or a substantial part of pre-school education in Romanian at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.b.iv	make available primary education in Romanian, a substantial part of primary education in Romanian or teaching of Romanian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.c.iv	make available secondary education in Romanian, a substantial part of secondary education in Romanian or teaching of Romanian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.d.iv	make available technical and vocational education in Romanian, a substantial part of technical and vocational education in Romanian or teaching of Romanian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Romanian				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a.ii	guarantee the accused the right to use Romanian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=

<sup>42</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Romanian <sup>42</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Romanian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Romanian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.b.iii	allow documents and evidence to be produced in Romanian in civil proceedings, if necessary by the use of interpreters and translations				=
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Romanian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.c.iii	allow documents and evidence to be produced in Romanian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Romanian				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.a.i v	ensure that users of Romanian may submit oral or written applications in Romanian to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Romanian				=
10.2.a	use of Romanian within the framework of the regional or local authority				=
10.2.b	possibility for users of Romanian to submit oral or written applications in Romanian to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Romanian				=
10.3.c	allow users of Romanian to submit a request in Romanian to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Romanian to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Romanian		=		
<b>Art. 11 – Media</b>					
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Romanian				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Romanian				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Romanian on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Romanian				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Romanian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Romanian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Romanian</li> </ul>	=			
11.3	ensure that the interests of the users of Romanian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Romanian				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Romanian				✓
12.1.f	encourage direct participation by representatives of the users of Romanian 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 Romanian				✓
12.2	In territories other than those in which Romanian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Romanian				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Romanian in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Romanian in economic and social life				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Romanian <sup>42</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Romanian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Romanian in the States concerned in the fields of culture, education, information, vocational training and permanent education				✓
14.b	for the benefit of Romanian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Romanian 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.9.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Romanian in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>43</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching of Romanian at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Romanian.**

#### II. Further recommendations

- Make adequate provision so that public broadcasters offer programmes in Romanian, including programmes for children.
- Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- Ensure sufficient financial means for teaching Romanian, start teacher training, develop teaching materials.
- Promote study and research of Romanian at university and equivalent institutions.

<sup>43</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- h. Raise awareness of Romanian as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Romanian.
- j. Amend legislation to allow the use of Romanian in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.

## 2.10 Ruthenian

### 2.10.1 Compliance of Bosnia and Herzegovina with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Ruthenian

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Ruthenian <sup>44</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Ruthenian 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 Ruthenian	=			
7.1.c	resolute action to promote Ruthenian				=
7.1.d	facilitation and/or encouragement of the use of Ruthenian, 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 Ruthenian • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Ruthenian at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Ruthenian to learn it				=
7.1.h	promotion of study and research on Ruthenian at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Ruthenian				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Ruthenian				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Ruthenian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Ruthenian among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Ruthenian • establish a body for the purpose of advising the authorities on all matters pertaining to Ruthenian		=		
<b>Part III of the Charter</b> <b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in Ruthenian or a substantial part of pre-school education in Ruthenian at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in Ruthenian, a substantial part of primary education in Ruthenian or teaching of Ruthenian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.civ	make available secondary education in Ruthenian, a substantial part of secondary education in or teaching of Ruthenian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.div	make available technical and vocational education in Ruthenian, a substantial part of technical and vocational education in Ruthenian or teaching of Ruthenian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Ruthenian				=
<b>Art. 9 – Judicial authorities</b>					
9.1.iii	guarantee the accused the right to use Ruthenian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=

<sup>44</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Ruthenian <sup>44</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled no conclusion
9.1.a.iii	provide that requests and evidence, whether written or oral, Ruthenian n shall not be considered inadmissible in criminal proceedings solely because they are formulated in Ruthenian, 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 Ruthenian 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 Ruthenian 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 Ruthenian 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 Ruthenian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Ruthenian				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.aiv	ensure that users of Ruthenian may submit oral or written applications in Ruthenian to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Ruthenian				=
10.2.a	use of Ruthenian within the framework of the regional or local authority				=
10.2.b	possibility for users of Ruthenian to submit oral or written applications in Ruthenian to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Ruthenian				=
10.3.c	allow users of Ruthenian to submit a request in Ruthenian to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Ruthenian to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Ruthenian			=	
<b>Art. 11 – Media</b>					
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Ruthenian				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Ruthenian				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Ruthenian on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Ruthenian				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Ruthenian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Ruthenian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Ruthenian</li> </ul>		=		
11.3	ensure that the interests of the users of Ruthenian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Ruthenian				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Ruthenian				=
12.1.f	encourage direct participation by representatives of the users of Ruthenian 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 Ruthenian				=
12.2	In territories other than those in which Ruthenian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Ruthenian				=
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Ruthenian in connection with economic or social activities				=
13.1.d	facilitate and/or encourage the use of Ruthenian in economic and social life				=
<b>Art. 14 – Transfrontier exchanges</b>					



The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Ruthenian <sup>44</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
14.a	apply bilateral and multilateral agreements with the States in which Ruthenian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of A Ruthenian in the States concerned in the fields of culture, education, information, vocational training and permanent education				=
14.b	for the benefit of Ruthenian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Ruthenian 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.10.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Ruthenian in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>45</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendation for immediate action

##### a. Clarify the situation of the Ruthenian language in Bosnia and Herzegovina.

#### II. Further recommendations

The Committee of Experts has no further recommendations at this stage.

<sup>45</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

## 2.11 Slovak

### 2.11.1 Compliance of Bosnia and Herzegovina 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

Article	The Committee of Experts considers the undertaking <sup>*</sup> :				
	Undertakings of Bosnia and Herzegovina concerning Slovak <sup>46</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b><i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i></b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of 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		=		
<b>Part III of the Charter</b> <b><i>(Additional undertakings chosen by the state for specific languages)</i></b>					
<b>Art. 8 – Education</b>					
8.1.a.iii	make available pre-school education in Slovak or a substantial part of pre-school education in Slovak at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.b.iv	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.c.iv	make available secondary education in Slovak, a substantial part of secondary education in A Slovak or teaching of Slovak as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.d.iv	make available technical and vocational education in Slovak, a substantial part of technical and vocational education in Slovak or teaching of Slovak as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Slovak				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a.ii	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.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Slovak, if necessary				=

<sup>46</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Slovak <sup>46</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Slovak				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.ai v	ensure that users of Slovak may submit oral or written applications in Slovak to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Slovak				=
10.2.a	use of Slovak within the framework of the regional or local authority				=
10.2.b	possibility for users of Slovak to submit oral or written applications in Slovak to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Slovak				=
10.3.c	allow users of Slovak to submit a request in Slovak to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Slovak to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Slovak		=		
<b>Art. 11 – Media</b>					
11.1.iii	make provision so that public broadcasters offer radio and television programmes in Slovak				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Slovak				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Slovak on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Slovak				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Slovak</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Slovak</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Slovak</li> </ul>	=			
11.3	ensure that the interests of the users of Slovak are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Slovak				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of 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				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Slovak in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Slovak in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
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				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Slovak <sup>46</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.11.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovak in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>47</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching of Slovak at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Slovak.**

#### II. Further recommendations

- Make adequate provision so that public broadcasters offer programmes in Slovak, including programmes for children.
- Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- Ensure sufficient financial means for teaching Slovak, start teacher training, develop teaching materials.
- Promote study and research of Slovak at university and equivalent institutions.
- Raise awareness of Slovak as a minority language in the society.
- Ensure teaching of the history and culture which is reflected by Slovak.
- Amend legislation to allow the use of Slovak in court free of charge.
- Promote cross-border co-operations particularly between speakers' organisations.

<sup>47</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8));

## 2.12 Slovenian

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

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Slovenian <sup>48</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled no conclusion
<b>Part II of the Charter</b> <b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Slovenian as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Slovenian	=			
7.1.c	resolute action to promote Slovenian				=
7.1.d	facilitation and/or encouragement of the use of Slovenian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life				=
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Slovenian • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Slovenian at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Slovenian to learn it				=
7.1.h	promotion of study and research on Slovenian at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Slovenian				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Slovenian				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Slovenian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Slovenian among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Slovenian • establish a body for the purpose of advising the authorities on all matters pertaining to Slovenian		=		
<b>Part III of the Charter</b> <b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in Slovenian or a substantial part of pre-school education in Slovenian at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in Slovenian, a substantial part of primary education in Slovenian or teaching of Slovenian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.civ	make available secondary education in Slovenian, a substantial part of secondary education in Slovenian or teaching of Slovenian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.div	make available technical and vocational education in Slovenian, a substantial part of technical and vocational education in Slovenian or teaching of Slovenian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Slovenian				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a	guarantee the accused the right to use Slovenian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=

<sup>48</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Slovenian <sup>48</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled no conclusion
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Slovenian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.bii	allow, whenever a litigant has to appear in person before a court, that he or she may use Slovenian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations				=
9.1.biii	allow documents and evidence to be produced in Slovenian 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 Slovenian 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 Slovenian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Slovenian				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.aiv	ensure that users of Slovenian may submit oral or written applications in Slovenian to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Slovenian				=
10.2.a	use of Slovenian within the framework of the regional or local authority				=
10.2.b	possibility for users of Slovenian to submit oral or written applications in Slovenian to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Slovenian				=
10.3.c	allow users of Slovenian to submit a request in Slovenian to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Slovenian to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Slovenian		=		
<b>Art. 11 – Media</b>					
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Slovenian				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Slovenian				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Slovenian on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Slovenian				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Slovenian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Slovenian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Slovenian</li> </ul>	=			
11.3	ensure that the interests of the users of Slovenian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Slovenian				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Slovenian				✓
12.1.f	encourage direct participation by representatives of the users of Slovenian 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 Slovenian				✓
12.2	In territories other than those in which Slovenian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Slovenian				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Slovenian in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Slovenian in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Slovenian <sup>48</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
14.a	apply bilateral and multilateral agreements with the States in which Slovenian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Slovenian in the States concerned in the fields of culture, education, information, vocational training and permanent education				✓
14.b	for the benefit of Slovenian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Slovenian is used in identical or similar form				✓

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

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

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

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

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

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

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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.12.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovenian in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>49</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching of Slovenian at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Slovenian.**

#### II. Further recommendations

- Make adequate provision so that public broadcasters offer programmes in Slovenian, including programmes for children.
- Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- Ensure sufficient financial means for teaching Slovenian, start teacher training, develop teaching materials.
- Promote study and research of Slovenian at university and equivalent institutions.

<sup>49</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- h. Raise awareness of Slovenian as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Slovenian.
- j. Amend legislation to allow the use of Slovenian in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.



## 2.13 Turkish

### 2.13.1 Compliance of Bosnia and Herzegovina with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Turkish

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Turkish <sup>50</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Turkish 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 Turkish	=			
7.1.c	resolute action to promote Turkish				=
7.1.d	facilitation and/or encouragement of the use of Turkish, 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 Turkish • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Turkish at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Turkish to learn it				=
7.1.h	promotion of study and research on Turkish at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Turkish				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Turkish				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Turkish among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Turkish among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Turkish • establish a body for the purpose of advising the authorities on all matters pertaining to Turkish		=		
<b>Part III of the Charter</b> <b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.iii	make available pre-school education in Turkish or a substantial part of pre-school education in Turkish at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.biv	make available primary education in Turkish, a substantial part of primary education in Turkish or teaching of Turkish as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient		=		
8.1.civ	make available secondary education in Turkish, a substantial part of secondary education in Turkish or teaching of Turkish as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.div	make available technical and vocational education in Turkish, a substantial part of technical and vocational education in Turkish or teaching of Turkish as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Turkish				=
<b>Art. 9 – Judicial authorities</b>					
9.1.iii	guarantee the accused the right to use Turkish in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=
9.1.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Turkish, if				=

<sup>50</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Turkish <sup>50</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	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 Turkish 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 Turkish 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 Turkish 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 Turkish in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Turkish				=
<b>Art. 10 – Administrative authorities and public services</b>					
10.1.ai v	ensure that users of Turkish may submit oral or written applications in Turkish to local branches of the national authorities				=
10.1.c	allow the national authorities to draft documents in Turkish				=
10.2.a	use of Turkish within the framework of the regional or local authority				=
10.2.b	possibility for users of Turkish to submit oral or written applications in Turkish to the regional or local authority				=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Turkish				=
10.3.c	allow users of Albanian to submit a request in Turkish to public service providers				=
10.4.c	comply with requests from public service employees having a knowledge of Turkish to be appointed in the territory in which that language is used				=
10.5	allow the use or adoption of family names in Turkish		=		
<b>Art. 11 – Media</b>					
11.1.iii	make provision so that public broadcasters offer radio and television programmes in Turkish				=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Turkish				=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Turkish on a regular basis				=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Turkish				=
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Turkish</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Turkish</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Turkish</li> </ul>	=			
11.3	ensure that the interests of the users of Turkish are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=
<b>Art. 12 – Cultural activities and facilities</b>					
12.1.a	encourage production, reproduction and dissemination of cultural works in Turkish				=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Turkish				✓
12.1.f	encourage direct participation by representatives of the users of Turkish 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 Turkish				✓
12.2	In territories other than those in which Turkish is traditionally used, allow, encourage and/or provide cultural activities and facilities using Turkish				✓
<b>Art. 13 – Economic and social life</b>					
13.1.c	oppose practices designed to discourage the use of Turkish in connection with economic or social activities				✓
13.1.d	facilitate and/or encourage the use of Turkish in economic and social life				✓
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Turkish is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Turkish				✓

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Turkish <sup>50</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
	in the States concerned in the fields of culture, education, information, vocational training and permanent education				
14.b	for the benefit of Turkish, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Turkish 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.13.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Turkish in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>51</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. **Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- b. **Provide appropriate forms and means for the teaching of Turkish at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- c. **Establish a scheme for financing activities and facilities relating to the promotion of Turkish.**

#### II. Further recommendations

- d. Make adequate provision so that public broadcasters offer programmes in Turkish, including programmes for children.
- e. Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- f. Ensure sufficient financial means for teaching Turkish, start teacher training, develop teaching materials.
- g. Promote study and research of Turkish at university and equivalent institutions.
- h. Raise awareness of Turkish as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Albanian.
- j. Amend legislation to allow the use of Turkish in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.

<sup>51</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

## 2.14 Ukrainian

### 2.14.1 Compliance of Bosnia and Herzegovina with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Ukrainian

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 Bosnia and Herzegovina concerning Ukrainian <sup>52</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Ukrainian 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 Ukrainian	=			
7.1.c	resolute action to promote Ukrainian				=
7.1.d	facilitation and/or encouragement of the use of Ukrainian, 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 Ukrainian • establishment of cultural relations with other linguistic groups		=		
7.1.f	provision of forms and means for the teaching and study of Ukrainian at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Ukrainian to learn it				=
7.1.h	promotion of study and research on Ukrainian at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Ukrainian				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Ukrainian				=
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Ukrainian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Ukrainian among their objectives				=
7.4	• take into consideration the needs and wishes expressed by the group which uses Ukrainian • establish a body for the purpose of advising the authorities on all matters pertaining to Ukrainian		=		
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.a.iii	make available pre-school education in Ukrainian or a substantial part of pre-school education in Ukrainian at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.b.iv	make available primary education in Ukrainian, a substantial part of primary education in Ukrainian or teaching of Ukrainian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient		=		
8.1.c.iv	make available secondary education in Ukrainian, a substantial part of secondary education in Ukrainian or teaching of Ukrainian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.d.iv	make available technical and vocational education in Ukrainian, a substantial part of technical and vocational education in Albanian or teaching of Albanian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Ukrainian				=
<b>Art. 9 – Judicial authorities</b>					

<sup>52</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Bosnia and Herzegovina concerning Ukrainian <sup>52</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
9.1.a.ii	guarantee the accused the right to use Ukrainian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=	
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Ukrainian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=	
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Ukrainian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations				=	
9.1.b.iii	allow documents and evidence to be produced in Ukrainian civil proceedings, if necessary by the use of interpreters and translations				=	
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Ukrainian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations				=	
9.1.c.iii	allow documents and evidence to be produced in Ukrainian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=	
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Ukrainian				=	
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.a.i v	ensure that users of Ukrainian may submit oral or written applications in Ukrainian to local branches of the national authorities				=	
10.1.c	allow the national authorities to draft documents in Ukrainian				=	
10.2.a	use of Ukrainian within the framework of the regional or local authority				=	
10.2.b	possibility for users of Ukrainian to submit oral or written applications in Ukrainian to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Ukrainian				=	
10.3.c	allow users of Ukrainian to submit a request in Albanian to public service providers				=	
10.4.c	comply with requests from public service employees having a knowledge of Ukrainian to be appointed in the territory in which that language is used				=	
10.5	allow the use or adoption of family names in Ukrainian		=			
<b>Art. 11 – Media</b>						
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Ukrainian				=	
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Ukrainian				=	
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Ukrainian on a regular basis				=	
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Ukrainian				=	
11.2	<ul style="list-style-type: none"><li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Ukrainian</li><li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Ukrainian</li><li>• ensure the freedom of expression and free circulation of information in the written press in Ukrainian</li></ul>	=				
11.3	ensure that the interests of the users of Ukrainian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				=	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Ukrainian				=	
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Ukrainian				✓	
12.1.f	encourage direct participation by representatives of the users of Ukrainian 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 Ukrainian				✓	
12.2	In territories other than those in which Ukrainian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Ukrainian				✓	
<b>Art. 13 – Economic and social life</b>						
13.1.c	oppose practices designed to discourage the use of Ukrainian in connection with economic or social activities				✓	
13.1.d	facilitate and/or encourage the use of Ukrainian in economic and social life				✓	

The Committee of Experts considers the undertaking*:					
Article	Undertakings of Bosnia and Herzegovina concerning Ukrainian <sup>52</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Art. 14 – Transfrontier exchanges</b>					
14.a	apply bilateral and multilateral agreements with the States in which Ukrainian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Ukrainian in the States concerned in the fields of culture, education, information, vocational training and permanent education				✓
14.b	for the benefit of Ukrainian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Ukrainian 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

The Committee of Experts interprets the repeated lack of information about the implementation of Article 12.1.e, f, g, 12.2, Article 13.1c, d, Article 14.a as an indication that these undertakings are not fulfilled.

### 2.14.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Ukrainian in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>53</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- Increase the awareness of the Charter amongst the speakers and all authorities responsible for the implementation.**
- Provide appropriate forms and means for the teaching of Ukrainian at all stages concerned by the ratification, inform students and parents directly about the offer and encourage them to make use of it.**
- Establish a scheme for financing activities and facilities relating to the promotion of Ukrainian.**

#### II. Further recommendations

- Make adequate provision so that public broadcasters offer programmes in Ukrainian, including programmes for children.
- Clarify the concrete administrative responsibilities for implementing the Charter and adopt an action plan in order for the relevant undertakings to be implemented.
- Ensure sufficient financial means for teaching Ukrainian, start teacher training, develop teaching materials.
- Promote study and research of Ukrainian at university and equivalent institutions.

<sup>53</sup> CM/RecChL(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

- h. Raise awareness of Ukrainian as a minority language in the society.
- i. Ensure teaching of the history and culture which is reflected by Ukrainian.
- j. Amend legislation to allow the use of Ukrainian in court free of charge.
- k. Promote cross-border co-operations particularly between speakers' organisations.

## 2.15 Yiddish

### 2.15.1 Compliance of Bosnia and Herzegovina with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Yiddish

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

Article	The Committee of Experts considers the undertaking*:				
	Undertakings of Bosnia and Herzegovina concerning Yiddish <sup>54</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled
<b>Part II of the Charter</b>					
<b>(Undertakings which the state must apply to all regional or minority languages within its territory)</b>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Yiddish 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 Yiddish	=			
7.1.c	resolute action to promote Yiddish				=
7.1.d	facilitation and/or encouragement of the use of Yiddish, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life				=
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Yiddish</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>		=		
7.1.f	provision of forms and means for the teaching and study of Yiddish at all appropriate stages				=
7.1.g	provision of facilities enabling (also adult) non-speakers of Yiddish to learn it				=
7.1.h	promotion of study and research on Yiddish at universities or equivalent institutions				=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Yiddish				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Yiddish				=
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Yiddish among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Yiddish among their objectives</li> </ul>				=
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Yiddish</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Yiddish</li> </ul>		=		
<b>Part III of the Charter<sup>55</sup></b>					
<b>(Additional undertakings chosen by the state for specific languages)</b>					
<b>Art. 8 – Education</b>					
8.1.a.iii	make available pre-school education in Yiddish or a substantial part of pre-school education in Yiddish at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.b.iv	make available primary education in Yiddish, a substantial part of primary education in Yiddish or teaching of Yiddish as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=
8.1.c.v	make available secondary education in Yiddish, a substantial part of secondary education in Yiddish or teaching of Yiddish as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.d.vi	make available technical and vocational education in Yiddish, a substantial part of technical and vocational education in Yiddish or teaching of Yiddish as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=
8.1.g	ensure the teaching of the history and the culture which is reflected by Yiddish				=
<b>Art. 9 – Judicial authorities</b>					
9.1.a.ii	guarantee the accused the right to use Yiddish in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=

<sup>54</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty+No.+148\)](http://www.coe.int/en/web/conventions/(treaty+No.+148)).

<sup>55</sup> See para 85 of this report



The Committee of Experts considers the undertaking*:						
Article	Undertakings of Bosnia and Herzegovina concerning Yiddish <sup>54</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Yiddish, 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 Yiddish 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 Yiddish 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 Yiddish 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 Yiddish in proceedings concerning administrative matters, if necessary by the use of interpreters and translations					=
9.2.c	not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Yiddish					=
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.ai v	ensure that users of Yiddish may submit oral or written applications in Yiddish to local branches of the national authorities					=
10.1.c	allow the national authorities to draft documents in Yiddish					=
10.2.a	use of Yiddish within the framework of the regional or local authority					=
10.2.b	possibility for users of Yiddish to submit oral or written applications in Yiddish to the regional or local authority					=
10.2.g	use or adoption, if necessary, in conjunction with the name in the official language, of place names in Yiddish					=
10.3.c	allow users of Yiddish to submit a request in Yiddish to public service providers					=
10.4.c	comply with requests from public service employees having a knowledge of Yiddish to be appointed in the territory in which that language is used					=
10.5	allow the use or adoption of family names in Yiddish					=
<b>Art. 11 – Media</b>						
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Yiddish					=
11.1.bi	encourage and/or facilitate the creation of at least one private radio station in Yiddish					=
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Yiddish on a regular basis					=
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Yiddish					=
11.2	<ul style="list-style-type: none"><li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Yiddish</li><li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Yiddish</li><li>• ensure the freedom of expression and free circulation of information in the written press in Yiddish</li></ul>					=
11.3	ensure that the interests of the users of Yiddish are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media					=
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Yiddish					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Yiddish					=
12.1.f	encourage direct participation by representatives of the users of Yiddish 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 Yiddish					=
12.2	In territories other than those in which Yiddish is traditionally used, allow, encourage and/or provide cultural activities and facilities using Yiddish					=
<b>Art. 13 – Economic and social life</b>						
13.1.c	oppose practices designed to discourage the use of Yiddish in connection with economic or social activities					=
13.1.d	facilitate and/or encourage the use of Yiddish in economic and social life					=
<b>Art. 14 – Transfrontier exchanges</b>						

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Bosnia and Herzegovina concerning Yiddish <sup>54</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
14.a	apply bilateral and multilateral agreements with the States in which Yiddish is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Yiddish and in the States concerned in the fields of culture, education, information, vocational training and permanent education					"
14.b	for the benefit of Yiddish facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Yiddish and 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.

### 2.15.2 Recommendation by the Committee of Experts on how to improve the protection and promotion of Yiddish in Bosnia and Herzegovina

The Committee of Experts encourages the Bosnian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Bosnia and Herzegovina<sup>56</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- |   |
|---|
| a. <b>Increase the awareness of Yiddish as a minority language in Bosnia and Herzegovina.</b><br>b. <b>Provide appropriate forms and means for revitalisation of Yiddish.</b> |
|---|

#### II. Further recommendations

- c. Provide financial support for the promotion of Yiddish.
- d. Promote study and research of Yiddish at university and equivalent institutions.
- e. Ensure teaching of the history and culture which is reflected by Yiddish.

<sup>56</sup> CM/RecCh(2016)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016806abcd8](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806abcd8))

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

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

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

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 Bosnia and Herzegovina on 21 September 2010;

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

Bearing in mind that this evaluation is based on information submitted by Bosnia and Herzegovina in its third periodical report, supplementary information given by the Bosnian authorities, information submitted by bodies and associations legally established in Bosnia and Herzegovina 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 Bosnian authorities on the content of the report of the Committee of Experts;]

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

1. implement the Charter irrespective of the thresholds in domestic legislation;
2. establish a structured policy and take flexible measures facilitating the application of the Charter;
3. provide appropriate forms and means for the teaching of the minority languages in co-operation with the speakers;
4. establish a scheme for financing cultural activities and facilities relating to the minority languages;
5. make adequate provisions so that public broadcasters offer programmes in the minority languages;
6. ensure the adoption and use of traditional forms of place names in the minority languages where applicable;

The Committee of Ministers invites the authorities of Bosnia and Herzegovina to submit with no further delay their fourth periodical report which was due on 1 June 2021 in accordance with the Committee of Ministers decisions adopted on 28 November 2018.

## Appendix I: Instrument of Ratification



Bosnia and Herzegovina:

### Declaration contained in the instrument of ratification deposited on 21 September 2010 - Or. Engl.

In accordance with Article 1, paragraph b, of the Charter, Bosnia and Herzegovina declares that the term 'territory in which the regional or minority languages are used' refers to areas in which regional or minority languages are in official use in accordance with the laws of Bosnia and Herzegovina.

**Period covered: 1/1/2011 -**

The preceding statement concerns Article(s): 1

### Declaration contained in the instrument of ratification deposited on 21 September 2010 - Or. Engl.

In accordance with Article 2, paragraph 2, of the Charter, Bosnia and Herzegovina declares that, the following provisions shall apply to the Albanian, Montenegrin, Czech, Italian, Hungarian, Macedonian, German, Polish, Romanian, Rysin, Slovak, Slovene, Turkish, Ukrainian and Jewish (Yiddish and Ladino) languages:

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

The following articles, paragraphs and sub-paragraphs shall apply to the Romani language:

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

**Period covered: 1/1/2011 -**

The preceding statement concerns Article(s): 2

### Declaration contained in the instrument of ratification deposited on 21 September 2010 - Or. Engl.

In accordance with Article 3, paragraph 1, of the Charter, Bosnia and Herzegovina declares that, it shall apply the Provisions of Part III of the Charter in relation to the following languages: Albanian, Montenegrin, Czech, Italian, Hungarian, Macedonian, German, Polish, Romani, Romanian, Rysin, Slovak, Slovene, Turkish, Ukrainian and Jewish (Yiddish and Ladino).

**Period covered: 1/1/2011 -**

The preceding statement concerns Article(s): 3



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.*

**[www.coe.int/minlang](http://www.coe.int/minlang)**

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union.

All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.