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# SIXTH EVALUATION REPORT ON MONTENEGRO

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

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Adopted on 16 June 2023

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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

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

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

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

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## Executive Summary

The European Charter for Regional or Minority Languages entered into force in Montenegro on 6 June 2006, and applies to the following languages: Albanian, Croatian, Bosnian and Romani. The Bosnian and Croatian languages are covered by Part II (Article 7) only, whereas the other languages receive protection under both Part II and Part III (Articles 8-14).

The Parliament of Montenegro adopted several amendments to the legislative framework in respect of national minority protection during the fifth monitoring cycle. However, since the last amendments to the Law on Minority Rights and Freedoms in 2017, the momentum of successive governments in the field of promotion and protection of national minority languages in terms of legislative actions seems to be stagnating.

The 20% of the open content of the general curricula used in education has to be used to reflect the history, culture and language of the speakers. The determination of the open content is the responsibility of the teachers and schools and is guaranteed by law. Some teachers are still hesitant to fulfil this responsibility without additional assistance. The state authorities are encouraged to take the initiative and consult the national councils of the national minorities and schools, in order to issue guidelines for the adequate implementation of the 20% content for all four minority languages protected under the Charter.

There was a reduction in the budget in the case of the Centre for Preservation and Development of the Culture of Minorities (CEKUM), and to a lesser extent in the budget of the Fund for Protection and Exercise of Minority Rights of Montenegro (Fund), since 2020. Although the level of financing of cultural events and language projects in regional and minority languages has been slowly raised over the years, it is important to reinstate and further increase the level of funding of the CEKUM and the Fund.

The difference between the level of the implementation of the provisions under the Charter with regard to the four minority languages has remained the same. Albanian continues to be in a very favourable overall position.

The situation of Romani language is still controversial in Montenegro. Romani is not recognised by the Constitution of Montenegro as a language in official use, but Romani is protected under Part II and Part III of the Charter, in accordance with the instrument of ratification. There is an evident collision between the domestic legislation and obligation to ensure a high level of protection, which is required by the ratification of the Charter. Romani is still absent from formal and regular education, due mainly to the non-existent teacher training and the lack of teaching materials. The discontinuation of the Roma Radio reduces the presence of Romani in the media even further, although a Romani media portal (Romanet) and its podcast represent positive steps. In order to increase the use of Romani in public life, this language should be introduced in official use in at least one administrative unit, irrespective of the 5% threshold set by the Law on Minority Rights and Freedoms.

Bosnian continues to be protected as a separate minority language. Bosnian culture and traditions should be more visible in the media and further promoted in education.

The Montenegrin authorities should provide forms and means for the teaching and study of Croatian at all appropriate stages without relying exclusively on the support from Croatia. Croatian culture and traditions should also be more visible in the media and further promoted in education.

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

## Chapter 1 The situation of the regional or minority languages in Montenegro – 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 trans frontier exchanges. The Charter entered into force in Montenegro on 6 June 2006 and applies to the following languages: Albanian, Croatian, Bosnian and Romani. The Bosnian and Croatian languages are covered by Part II (Article 7) only, whereas the other languages receive protection under both Part II and Part III (Articles 8-14).

2. States parties are required to submit reports every five years<sup>1</sup> on the implementation of the Charter. The Montenegrin authorities submitted their sixth periodical report on 8 December 2022.<sup>2</sup> This sixth evaluation report of the Committee of Experts is based on the information contained in the periodical report, [additional information received from the authorities] and statements made by representatives of the speakers of the minority languages during the on-the-spot visit (27-31 March 2023) and/or submitted in written form pursuant to Article 16 (2) of the Charter.

3. Chapter 1 of this evaluation report focuses on the general developments and trends regarding the regional or minority languages in Montenegro and the situation of these languages. It examines in particular the measures taken by the Montenegrin authorities to respond to the recommendations made by the Committee of Experts and the Committee of Ministers at the end of the fifth monitoring cycle and also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each undertaking of Montenegro in respect of the given language as well as the recommendations addressed to the Montenegrin authorities. On the basis of its evaluation, the Committee of Experts proposes, in Chapter 3, recommendations to the Committee of Ministers to be addressed to the Government of Montenegro, 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 fifth evaluation report on the application of the Charter in Montenegro.<sup>3</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 Montenegro in March 2023. It was adopted by the Committee of Experts on 16 June 2023.

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

#### *The legal and institutional framework for the implementation of the Charter*

6. The Parliament of Montenegro adopted several amendments to the legislative framework in respect of national minority protection during the fifth monitoring cycle. The Committee of Experts examined the continuation of this process, and the practical implementation of the legislative work in the present monitoring cycle, in particular. During the on-the-spot visit, the Montenegrin authorities confirmed, however, that there had been no further amendments to the legislative framework since the last monitoring round in respect of the implementation of the Charter.<sup>4</sup> The speakers’ representatives also confirmed that they were not aware of any amendments of the statutes of the municipalities, or local-level legislation in respect of minority language protection either. The Committee of Experts notes that since the last amendments to the Law on Minority Rights and Freedoms,<sup>5</sup> the momentum of successive governments in the field of promotion and protection of

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

<sup>2</sup> [MIN-LANG \(2022\) PR 3](#).

<sup>3</sup> [MIN-LANG \(2020\) 1](#).

<sup>4</sup> Constitution of Montenegro (Official Gazette of the Republic of Montenegro no. 1/07. of 25.10.2007) and the Law on Minority Rights and Freedoms (Official Gazette of the Republic of Montenegro No. 031/06 of 12.05.2006).

<sup>5</sup> Article 11 of the Law on Minority Rights and Freedoms prescribing a lowered threshold of the “at least 5%” of the population according to the results of the last two consecutive censuses for the “official use” of the minority languages in local self-government units.

national minority languages in terms of legislative actions seems to be stagnating. This stagnation is detectable the most regarding Romani language, which is protected by both Part II and Part III of the Charter but is still not included in the Constitution of Montenegro among the four languages in official use.<sup>6</sup> In the previous monitoring round, the Committee of Ministers recommended the Montenegrin authorities to “**develop a coherent strategy for the protection and promotion of Romani**” (**Recommendation No. 1 - CM/RecChI (2020)4**). The Committee of Experts considers that the recognition of Romani on the same level as the other languages in official use is a precondition of a better implementation of the commitments ratified. The lack of recognition, however, is not in line with this recommendation. Therefore, it asks the authorities to take effective steps in order to form a consensus in this matter on a political level.

7. The census planned in 2021 has been postponed to 2023 by the state authorities. It is important for the monitoring and implementation of the national minority policy to have more recent data than from the 2011 census.<sup>7</sup> The postponement is regretful, because detailed research has already been conducted to map the proportion of speakers of minority languages in the registry of civil servants and other state employees. In addition to this research done in May 2021, the Ministry of Justice, Human and Minority Rights published data on the representation of minorities in local self-government bodies, companies and public institutions.<sup>8</sup> The Committee of Experts awaits the results of the next census and asks the authorities to use the results of all available research to map the needs of the speakers, in order to enhance the implementation of the undertakings under the Charter.

8. Article 11 of the Law on Minority Rights and Freedoms regulates the “official use” of the minority languages in local self-government units, whereas Article 28 stipulates the conditions of their representation in public affairs and politics on local level.<sup>9</sup> In the previous evaluation report, the Committee of Experts commended the state authorities for the amendments made to these two provisions. However, it has to reiterate its position that as the number of Romani speakers is below 5% in every administrative unit, this lowered threshold is still an impediment for the official use of Romani. The Committee of Experts therefore asks the authorities to take effective steps to enable the official use of Romani in at least one administrative unit, irrespective of the threshold.<sup>10</sup>

9. According to the regional and minority language speakers, some local self-governments do not fully comply with the current legal requirements concerning the use of minority languages recognised as in official use in these municipalities. According to the authorities they promote the use of minority languages in administration by clearly displaying this option and employing staff who speak these languages. The speakers maintain their position that as regards exercising the rights under Articles 11 and 28 of the Law on Minority Rights and Freedoms in practice, despite the efforts of local administrative offices, there are still problems with the use of minority languages. The fact that the legislative framework did not specify which institution or body is entitled to monitor the implementation of these provisions is a problem.<sup>11</sup> There is no sanctioning mechanism in force in case of non-implementation either. It seems that the use of minority languages in local administration sometimes depends on the goodwill and the initiative of the local government. The Committee of Experts therefore asks the authorities, in order to ensure better monitoring and implementation of the national minority policies, to consider amending the legislative framework.

10. The composition of the government has changed twice in Montenegro since the last monitoring round, resulting in a restructuring of the ministries competent for national minority policies. This may have also contributed to a lack of progress in the implementation of the Charter. The funds dedicated for the promotion of the languages and cultures of the national minorities have been reduced since 2020.<sup>12</sup> Based on the observations detailed in Chapter 1.1 of this report, the Committee of Experts notes that the overall situation of the speakers has not improved. Therefore, it asks the state authorities not only to reinstate, but also to increase the level of funding dedicated to the promotion of the languages and cultures of the national minorities and to

<sup>6</sup> Para 3 of Article 13 of the Constitution declares that the Serbian, Bosnian, Albanian and Croatian languages are in official use in Montenegro while Montenegrin is the official language of Montenegro.

<sup>7</sup> According to the 2011 Census the structure of the population of Montenegro, in relation to the national or ethnic affiliation is the following: 44.98%, Serbs 28.73%, Bosnians 8.65%, Albanians 4.9%, Roma 1.01 %, Croats 0.97%.

<sup>8</sup> See pages 4-5 of the sixth periodical report of Montenegro.

<sup>9</sup> Article 28 of the Law on Minority Rights and Freedoms stipulates that in local self-government units where “minority nations and other minority national communities” constitute either a majority or least 5% of the population, the local self-government shall be obliged to provide conditions for the participation of “minority nations and other minority national communities” in the adoption of a development programme of municipality, spatial and urban planning, budgets and general acts through the councils of the respective “minority nations and other minority national communities”.

<sup>10</sup> See also para 15 of the third evaluation report of the COMEX in respect of Bosnia and Herzegovina, [MIN-LANG\(2022\)2](#).

<sup>11</sup> See also para 10-11 of the eighth Report of the Committee of Experts in respect of Sweden, [MIN-LANG\(2022\)16](#).

<sup>12</sup> See para 12-14 of this report.

continue to focus their policies on facilitating mutual acceptance and tolerance between all national and linguistic minorities of Montenegro.<sup>13</sup>

### **Raising awareness**

11. The **Centre for Preservation and Development of the Culture of Minorities (CEKUM)** was established in 2009,<sup>14</sup> by the government of Montenegro in order to foster mutual understanding, tolerance and cultural diversity in Montenegro by means of supporting and financing a large variety of cultural projects relating to national and linguistic minorities. In 2019, CEKUM had an annual budget of €360 000. Starting from 2020 due to a deterioration of the central budget, it was significantly lowered starting to €181 000. The lowest annual budget was in 2021, with €26 000, whereas €98 600 was allocated by the government for 2023. In the last monitoring round the Committee of Ministers recommended to the Montenegrin authorities to **“make sure that the mechanism for providing sustainable state funding to minority language projects is adequate” (Recommendation No. 4 - CM/RecChI (2020)4)**. The Committee of Experts considers that the significant drop in the annual budget hampers compliance with that recommendation and, therefore, asks the authorities to increase the annual budget of the CEKUM.

12. Although the board of the CEKUM has been reappointed twice in the last monitoring round, and there was no Roma member appointed, project applications from all national minorities were being supported in the last monitoring cycle. The CEKUM and the Roma youth organisation “Walk with us” (*“Phiren Amenca”*) organised jointly events commemorating the International Roma Day, such as lectures on culture and history of Roma in Montenegro. The CEKUM supported book fairs in Tuzi and in Podgorica, in 2020 and 2021, where literature in Albanian and Bosnian and poetry collections in Croatian were presented. The CEKUM aims at reducing the divisions based on different language and religion still detectable in the Montenegrin society. Hence, *“Kod”* magazine is published, besides Montenegrin, in all minority languages promoting culture and literature and supporting multiculturalism in the country.

13. The **Fund for Protection and Exercise of Minority Rights of Montenegro (hereinafter: the Fund)** was established by the Parliament of Montenegro in 2008. It is responsible for the preservation and development of cultural, linguistic and religious identities of the national minorities. The Fund receives a minimum of 0.15% of the central budget annually. However as of 2022, due to a revision of its operation, the number of the public calls for applications for public funding per year was lowered from two to just one. According to the sixth periodical report, 32 various projects in minority languages were supported with the total budget of €264.700,00. Out of this sum, €114.100 was allocated for the publication of 27 books in minority languages in 2020. In 2021, 33 cultural projects in minority languages were granted with a budget of €216 .200, while €69.900 was allocated for the publication of 18 books. Due to failure to meet the requirements of the public call, 84 projects were rejected in 2020.

14. The Law on Minority Rights and Freedoms, adopted in 2017, introduced changes in the operation of the Fund. The Law put the old Rule Book of the Fund from 2014 out of force and prescribed a new Rule Book, which was introduced to offer a basis for a better and more transparent evaluation of the cultural projects. For that purpose, the new Rule Book has two appendices: (1) score card, and (2) application form, used by the Commission of the Parliament of Montenegro, consisting of seven members, in the evaluation of the projects. According to the state authorities, the proportion of the funds granted for multinational projects has risen from 10% to 47% in 2022 since multinational projects are meant to strengthen the cohesion of the multi-ethnic society of Montenegro. However, speakers have expressed their dissatisfaction in connection with this practice, because, as a result of the changes, all individual applications are evaluated on their own merit, without any preference for applications based on minority language projects.

15. As **national minority councils** are not eligible to apply directly to the Fund to finance cultural projects, the funds are granted to non-governmental organizations, legal entities and individual applicants. As a compensation for this measure, the annual budget of the national minority councils was doubled. Since 2017, the funding is of €100.000 per national minority council, annually. Representatives of the national minority councils complained, however, that this amount only covers the running costs of their offices, libraries and cultural houses, and is not sufficient to finance cultural events on their own initiatives. In addition, in their view, since they have become excluded from the application process of the Fund, they have lost the opportunity to advise on the projects important for the preservation of the language and culture of their communities. As a consequence, the co-operation between the applicants and the national minority councils which are the bodies

<sup>13</sup> See also para 15 of the fifth Report of the Committee of Experts in respect of Montenegro, [MIN-LANG\(2020\)1](#).

<sup>14</sup> Official Gazette of MNE, No. 060/17 of September 2017.



elected to represent the interests of the national minorities is weakened. The Committee of Experts would consequently welcome a consultation about the implementation of the Fund's operational rules between all stakeholders in order to achieve a better co-operation, and to enhance compliance of the authorities with the Charter objectives as stated in Article 7.

16. The amount of funding of the national minority councils has remained €100.000 per national minority council per year. The Croatian national council explained, that although their political representation in the municipalities where their speakers are beyond the 5% threshold is guaranteed by law, their representation in the local government-level is not ensured in practice.

17. Speakers and teachers of the national minority languages expressed the need to coordinate the development of the teaching material used to better promote the culture and history of the speakers. During the meetings held by the Committee of Experts in Montenegro, the working group advised the national minority councils to exercise their rights as consultative bodies of the state authorities on national minority issues and present the views of the speakers on the teaching material to the state authorities. It also asks the state authorities to organise consultations on the guidelines regarding the use and development of the 20% "open content" of the curricula with the participation of the national minority councils and teachers of minority languages.

### ***Use of regional or minority languages during the COVID-19 pandemic***

18. Limited information was offered by the authorities in Albanian, and there was no information in Romani on social distancing measures, or other essential information during the pandemic. Radio broadcast in all minority languages on public radio was suspended for two months during the lockdown measures in 2020. The Roma Youth Organization offered help in providing information on the social distancing measures to the authorities, but according to their representative the only source of information available for the speakers remained the information transmitted by their members. The Committee of Experts reminds the authorities that the speakers of minority languages are one of most vulnerable groups during crisis situations. It asks the authorities to take into consideration all relevant guidelines and statements of the Council of Europe in order to be able to assist the speakers better in possible crisis situations in the future.<sup>15</sup>

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

19. According to the Law on General Education, 20% of the general school curriculum is considered as "open content". It is up to each school to decide on the contents that reflect local issues in the subjects taught. With reference to its observations from the last monitoring cycle, the Committee of Experts examined how the 20% of the curriculum reserved for education on the local culture is used for the benefit of minority languages. During the on-the-spot visit, some speakers explained that in their respective municipalities the "open content" is not used to teach the language, culture or history of the national minorities at all. It became evident in other cases that, due to a lack of initiative and guidance, some teachers use the "open content" according to their best judgement, but with caution in respect of interpretation of historical events. There is hardly any consultation on this matter between the teachers and the national minority councils either. According to the Law on General Education, the right to decide on the open content is preserved for schools, and not for the state authorities. As there is no progress, the Committee of Experts asks the state authorities to initiate consultations with the participation of the national minority councils and other representatives of speakers. The aim of the consultations should be to issue guidelines for the development of the content meant to be used in the 20% of the curriculum reserved for education on the local culture, for the benefit of teaching in minority languages, as well as the history and culture of national minorities.

20. In most of the schools with a significant number of Albanian speakers education is still conducted in Albanian for students using this language, and in Montenegrin for the rest of the students. The authorities interpret this system as bilingual education. The Committee of Experts pointed out to the teachers and the representatives of the Ministry of Education during the on-the-spot visit that a system where students are taught in only one language and do not interact with students of a different language background cannot be interpreted as bilingual education. Furthermore, the Committee of Experts was informed that in Ulcinj municipality, where Albanian is in widespread use, there is also a demand for classes in Albanian for non-Albanian students. During the on-the-spot visit the Committee of Experts was informed that pupils with Montenegrin medium classes can choose Albanian as an elective subject, whereas the teaching of

<sup>15</sup> Committee of Experts [statement on regional and minority languages in online education in the context of the COVID-19 pandemic](#), adopted on 3 July 2020.



Montenegrin is compulsory for the Albanian pupils attending Albanian medium classes.

21. The offer of teaching materials and textbooks in Albanian is considered satisfactory, but remains insufficient in all other minority languages. Textbooks in Croatian are supplied exclusively by Croatia. The quality of teaching materials in Albanian, Bosnian or Romani has improved recently, but more attention should be paid to developing contents presenting the history of national minorities in Montenegro, as well as their culture.

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

22. The legislative framework of Montenegro provides sufficient legal basis for the implementation of obligations under Article 9 of the Charter.<sup>16</sup> However, in terms of practical application, Albanian and Romani, the two Part III languages are in a very different situation. According to the speakers, in municipalities with notable Albanian population, the courts employ qualified staff using the language to conduct the procedure in this language, upon request. Also, documents drafted in Albanian are admissible, in accordance with Article 9.1.a.iii, b.iii, and Article 9.2.a-c. of the Charter.

23. The Committee of Experts was informed in the previous monitoring round that the lack of qualified interpreters in Romani made the practical implementation of their obligations under Article 9 difficult.<sup>17</sup> Consequently, the Committee of Ministers recommended in the previous monitoring round to the Montenegrin authorities to **“take all the necessary measures to ensure the use of Romani in practice by judicial and administrative authorities in the areas where the Romani speakers are present in sufficient numbers” (Recommendation No. 3 - CM/RecChI (2020)4)**. The representatives of the Ministry of Justice were not able to attend the meeting during the on-the spot visit. However, the speakers of Romani confirmed that they are still unaware of any interpreters of Romani appointed in Montenegro. Hence, the Committee of Experts establishes that the situation has not improved and asks the authorities to train and appoint interpreters in Romani.

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

24. Although Montenegrin is widely used in local administration in the municipalities with notable proportion of speakers of minority languages, conditions for the use of Albanian as a Part III language in public life and administration is satisfactory. The Law on Civil Registry prescribes that the civil registers and certificates may be issued in minority languages as well, upon request. Article 187, paragraph 5, and Article 272, paragraph 7, of the Law on Road Traffic Safety regulate that the driving licence can be issued in minority languages, in the same language and script in which a person is registered in the civil register of births. Still, the offer of administrative forms enabling to submit applications in minority languages has to be improved in local offices of the state administration, in accordance with Article 10.1.a.iii.

25. Speakers of Albanian are in general aware of the possibility to use Albanian in state and in local-level administration as a result of the applied promotion measures. The local assemblies in Ulcinj and Tuzi work in Albanian and Montenegrin and all the documents produced by the assemblies are drafted in both languages. Romani, the other Part III language, is still absent from public administration.

26. Croatian is used in accordance with the legal provisions in local administration in Kotor and Tivat. Speakers of Bosnian had no recollection of the use of their language in local administration, although they confirmed the possibility to request personal documents also in Bosnian. The Committee of Experts was not informed of any new place names being adopted in minority languages since the last monitoring round.

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

27. The adoption of the much-anticipated new Media Law has not materialised since the last on-the-spot visit. Journalists and representatives of both public and private electronic media expected the adoption of a new funding and granting scheme for the reporting in minority languages, that would replace the project-based funding in force, with a more sustainable funding scheme. Also, a separate budget dedicated specifically for minority language media and programmes was expected. The Committee of Experts could not get information

<sup>16</sup> Article 11 of the Montenegrin Law on Minority Rights and Freedoms and the Criminal Procedure Code of Montenegro ensures that all the participants of proceedings have the possibility to use their own language or the language that they understand in the criminal procedure.

<sup>17</sup> See para. 27 of the fifth evaluation report of the Committee of Experts in respect of Montenegro.

in respect of future plans on the adoption the new Media Law. Therefore, it asks the authorities to continue the discussion with the representatives of the minority language media to support the necessary legislative process and to report on the developments in the next monitoring cycle.

28. The situation of regional or minority languages in public radio and television (*RTV Crne Gore - RTCG*) is considered satisfactory regarding programmes in Albanian, but improvement would be necessary for the other languages protected by the Charter. *RTCG* broadcasts weekly 30-minute programme "Mostovi" that deals with the culture, tradition and history of minority nations in Montenegro. There is no content in minority languages on *TV Podgorica*, which affects speakers of Romani the most, who live mainly in the area of the capital. Representatives of the *RTCG* explained that there is a lack of qualified staff possessing university degrees and using minority languages at the same time on a level that would enable the production of more material. Subtitling the existing programmes and new content also requires specific qualification. *RTCG* is trying to co-operate with public broadcasters of the neighbouring countries, like *TV Vojvodina* from Serbia, to extend the selection of programmes in minority languages protected in Montenegro. Such co-operation would be most important to expand the limited offer of children's programmes of the *RTCG*. The *RTCG* has started co-operation with the European Broadcasting Union (EBU) in order to facilitate the subtitling of their programmes.

29. Private broadcasters informed the Committee of Experts that, despite the limited support they receive from the Fund for the Exercise of Minority Rights, they are trying to maintain the level of service in their respective languages, using advertising revenues and donations from abroad. They are increasing the selection of their content offered online, or on social media, and are offered to the younger generations on these platforms.

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

30. The Montenegrin authorities support cultural activities of the national minorities through CEKUM and the Fund. The sixth periodical report lists the funds granted for publishing, translations and theatre activities in detail. The Committee of Experts expects the budget of these bodies to be reinstated onto a level witnessed in the previous monitoring round. Also, representatives of the speakers are of the opinion that the financial support for cultural activities in regional or minority languages should be secured on a sustainable basis, with the introduction of two public calls per year, making long-term planning possible. The Committee of Experts notes that the fact that speakers of the minorities are not represented in equal share in the boards of these bodies is not reflected in the funds granted per each minority.

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

31. According to information gathered during the on-the-spot visit speakers continue to use their own language in economic life in exchanges with other speakers of the same language. No measures opposing the use of minority languages in economic relations could be detected.

#### ***Transfrontier exchanges***

32. Municipalities with notable Croatian speakers maintain co-operation with the neighbouring regions of Croatia. Financing these joint cultural events and educational trips is secured mainly by Croatia, and to a lesser extent by the national minority council and private donations. Albanian and Bosnian speakers receive limited support from Albania and Bosnia and Herzegovina. Contacts between schools of the neighbouring states and their counterparts teaching Albanian and Bosnian remains sporadic. Cross-border exchanges of Romani speakers are almost non-existent.

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

### Albanian - Part III language

33. Albanian language is in a favourable position in the municipalities where the speakers traditionally reside, and in the capital.<sup>18</sup> The language can be studied at every level of education. Teachers of Albanian play an important role in the management of the schools teaching Albanian, and speakers of Albanian occupy important positions in all municipalities where the speakers traditionally live. At pre-school education level, Albanian and Montenegrin are used in separate educational groups in public educational institutions in Plav/Plavë, Gusinje/Guci, Ulcinj/Ulqin and Tuzi/Tuz. On the other hand, only Albanian is used in “*Majka Tereza*” private preschool in Tuzi/Tuz, and in one preschool operated jointly by Plav/Plavë and Gusinje/Guci municipalities. The building of the preschool in Rožaje/Rozhajë where only Albanian was used has been recently damaged by fire. A decision was made to build a new building instead of restoring the old premises. According to the sixth periodical report, the number of children attending these preschools has slightly dropped from 415 children in 2018/19 to 393 children in 2021/2022.

34. Primary school education in Albanian and Montenegrin is organised in six public schools in the municipalities of Tuzi/Tuz, Plav/Plavë, Gusinje/Guci and Ulcinj/Ulqin. Six public primary schools in the municipalities of Bar/Tivar, Tuzi/Tuz, Rožaje/Rozhajë, Gusinje/Guci and Ulcinj/Ulqin offer teaching only in Albanian. The overall number of students attending classes in Albanian at primary school level was 2,620 students in the academic year of 2018/19, and 2,612 students in 2021/2022.

35. Teachers at the primary school Marsal Tito in Ulcinj confirmed during the on-the-spot visit that the policy to teach about half of the students exclusively in Montenegrin and the rest in Albanian is still applied throughout the entire educational system. During the visit, the teachers confirmed that there is still no interaction between the two groups of students in these schools during classes, except physical education classes and during extracurricular activities. The Committee of Experts reiterates that this policy in the particular context of Montenegro does not facilitate tolerance and mutual respect between students with different language background, a principle that underlies the Charter. There are two bilingual school newspapers - “*Naša riječ*” (“*Fjala Jone*”) and “*Dulcinea*”. A subject called “Montenegrin-Serbian, Bosnian or Croatian” with its varied cultural content supports mutual coexistence. However, the teachers feel that the number of teaching hours should be increased. This subject is offered at all levels of education.

36. Five public secondary schools provide teaching in Albanian in the municipalities of Tuzi/Tuz, Ulcinj/Ulqin and Plav/Plavë, and in the “Drita” private grammar school in Ulcinj. According to the sixth periodical report, 207 students started secondary education in Albanian in 2021 in these institutions. Vocational education is offered in Albanian or Montenegrin at three public secondary schools in the municipalities of Plav/Plavë, Ulcinj/Ulqin and Tuzi/Tuz, using textbooks printed in the neighbouring countries.

37. The textbooks in Albanian for primary and secondary education levels are provided by the Bureau for Textbooks and Teaching Resources. The textbooks are translations of the original Montenegrin versions, with the exception of the textbook on the history and culture of Albanians in Montenegro, which was originally written in Albanian. The Committee of Experts notes that there is an exchange of views between the teachers and the Ministry of Education and encourages both sides to work together on the development of the 20% open curricula, as a measure of raising awareness of the Albanian language and culture in Montenegro.

38. Teacher training in Albanian is organised at the Faculty of Philosophy of the University of Montenegro. Adult education in Albanian is organised at a secondary school and a primary school in Ulcinj/Ulqin.

39. The legal framework provides sufficient legal basis for the use of Albanian in courts in Montenegro. The Criminal Procedure Code ensures that all the participants in the proceedings have the possibility to use the language that they understand, or that an interpretation of statements and translation of documents are provided by the state free of charge. The documents drafted in Albanian are admissible in the proceedings. Judges speaking Albanian have been appointed in the courts of Plav/Plavë, Rožaje/Rozhajë and in Ulcinj/Ulqin, and court interpreters and translators are also available for Albanian. There were no cases tried

<sup>18</sup> According to the last census (2011) the Albanian minority lives mainly in the municipalities of Ulcinj/Ulqin, Tuzi/Tuz, Plav/Plavë, Gusinje/Guci, Bar/Tivar and Rožaje/Rozhajë. Persons belonging to the Albanian minority make up 5.98% of the entire population and 6.5% of the population speaks Albanian.

in Albanian in Ulcinj and there were five cases where Albanian was used. Judgments are being issued in Montenegrin, but they can be translated into Albanian upon request.

40. Due to the promotion measures applied, speakers are aware of the possibility to use Albanian in local administration, according to speakers' representatives. Albanian is used regularly in the municipalities of Tuzi/Tuz, Ulcinj/Ulqin, Bar/Tivar, Rožaje/Rozhajë and Gusinje/Guci, where Albanian is the language in official use. The number of Albanian speaking civil servants ensures that oral and written requests and applications can be submitted, and responses received also in Albanian. According to a survey conducted on behalf of the Albanian National Council in 2022, the highest proportion of documents drafted in Albanian was in Tuzi/Tuz municipality, where 10% of documents were issued only in Albanian, 63 % were bilingual, and 27% were drafted only in Montenegrin. The sessions of the local assemblies in Tuzi/Tuz and Ulcinj/Ulqin are conducted in Albanian. The registry of births and marriages, ID-cards, driving licences and passports are completely bilingual, names of the bearers can be registered with Albanian spelling in all the municipalities where Albanian is in official use.

41. 1,148 passports and 938 identity cards have been issued in Albanian in 2021. Although the number of personal identification documents has dropped slightly in the last monitoring cycle, there are no practical problems with the implementation of this undertaking. Based on the corresponding legal background,<sup>19</sup> various application forms and some certificates were made available in Albanian, in the field of taxation and employment, in state-level administration. According to the authorities, there are plans for the improvement of the selection of forms in Albanian, and also a revision of the way language rights are explained and put on display in the administrative offices.

42. Albanian continues to be represented on a satisfactory level in the media. The newspaper called "*Koha Javore*" is published once a week and its online version is also available. In electronic media RTCG has a separate editorial office for Albanian and plans to expand the existing news programme on television and to launch a 24-hour online radio channel. RTCG broadcasted 345 shows of "*Lajmet*", a daily news programme, and 41 shows of "*Mozaiku*", a 45-minute weekly programme on television, in 2020. 265 shows of "*Ditari*" (news in Albanian) and 52 shows of "*Në fund të Javës*" were broadcast by RTCG in the Albanian language on radio, along with news and music shows in 2020. Radio Bar broadcasts 45-minute shows in Albanian on a daily basis. The local public broadcaster in Rožaje/Rozhajë provides a daily programme both on radio and television.

43. *TV Teuta*, and *Radio Elita* are the private broadcasters using Albanian regularly, whereas *TV Boin* broadcasts exclusively in Albanian. *Ulcinjinfo* was started as a web page with articles of local interest and was gradually extended to cover various platforms of social media, with contents relevant for the Albanian community. Public funding of the electronic media remains insufficient. It is available through the Fund exclusively, in a form of project applications that are assessed together with other non-minority related project applications. Representatives of the electronic media continue to advocate a new scheme of funding with a separate appropriation designated to electronic media. Donations from abroad and from international organisations complement the public funding, thus enabling the production of new content for the programmes.

44. CEKUM finances a wide variety of cultural events and publishes literature in Albanian on a regular basis, which is presented in detail in the sixth periodical report. Works of Albanian authors are translated into Montenegrin and are presented in book fairs, thus enhancing the visibility of Albanian culture.

45. According to the speakers, public and private employers employ Albanian-speaking staff in the municipalities where Albanian is in official use. This practice eliminates problems in using Albanian in services and economic activities, in the areas concerned.

### **Bosnian - Part II language**

46. According to the speakers, the overall situation of the Bosnian language has not improved in the last monitoring cycle. In their view, similarities between the Bosnian, Croatian and Montenegrin, and consequently the reluctance to use Bosnian by the speakers, may speed up the process of assimilation.<sup>20</sup>

47. Bosnian is present in primary education, according to the state authorities. The representatives of the Bosnian National Minority Council expressed concerns about the low representation of Bosnian culture and

<sup>19</sup> See para. 27 of this report.

<sup>20</sup> According to the census of 2011, Bosnian is spoken by 33,077 or 5.33% of the population of Montenegro. It is in official use in the municipalities of Rožaje, Plav, Bijelo Polje, Tuzi and Gusinje.

history within the mainstream curricula. They share the view of the rest of the national minority councils that the 20% of the “open content” of the curricula could be better used to promote culture and history of the respective national minority. According to the speakers, their repeated proposals regarding teaching and promotion of Bosnian history and culture have remained unanswered by the state authorities.

48. According to the speakers, Bosnian is taught in secondary education in one religious private secondary school (“medresa”) in Tuzi. Proposals of the Bosnian National Council on the establishment of a department for the Bosnian language at the Faculty of Philology of the University of Montenegro in Nikšić, or the introduction of the Bosnian language as an elective subject have not been adopted by the state authorities.

49. There is still no Bosnian language media, apart from the *bosnjak.me* portal. Social media presence is financed by the Bosnian National Council and advertising revenues. The Committee of Experts has not received any information about electronic or print media in Bosnian either. According to the speakers, the editorial offices of the electronic media are reluctant to produce programmes in Bosnian, because they consider that Montenegrin and Bosnian languages are almost the same, therefore, in their view, there is no demand for separate programmes in the Bosnian language.

50. The publishing of the Bosnian dictionary was financed by the Bosnian National Council which also published the book “*Pravo na ime*” (*The Right to a Name*) in Bosnian in 2022. Significant dates and historical events of the Bosnians, like International Mother Tongue Day or the Bosnian Flag Day, are celebrated annually. There is no financial support from Bosnia and Herzegovina, only occasional protocol visits.

51. Although some negative connotations reflected by the teaching material in connection with Bosnians have been corrected in the previous monitoring cycle, the state authorities need to promote and fund Bosnian culture and language even more, in order to improve mutual acceptance and tolerance towards Bosnian speakers. The state authorities are also asked to examine the reasons of the lack of use of Bosnian in education and to consult the Bosnian National Council to improve teaching material reflecting Bosnian culture and history.

### **Croatian - Part II language**

52. According to the speakers and representatives of the Croatian National Council, the overall situation of Croatian has not improved in the last monitoring cycle. There is no Croatian member of the parliament at present. Disputes between the national minority council and local-level politicians weaken the cohesion of the representation of the Croatian minority. As a consequence, there are no Croatian minority representatives in the local governments of Tivat. There are no Croatian members of the newly elected board of the Fund either.

53. Croatian is not used at preschool level. In addition to being taught at primary and secondary schools, Croatian is also taught as an extracurricular subject. According to the Croatian National Council, the 20% of the free content of the curricula could be used more to promote culture and history of the Croatian speakers in Montenegro. Textbooks, teachers and funding are provided exclusively by Croatia. Montenegrin authorities provide premises only in two primary schools in Kotor and Tivat. The Committee of Experts reminds the Montenegrin authorities of their duty to provide forms and means for the teaching and study of Croatian at all appropriate stages without relying exclusively on the support from Croatia.

54. The presence of Croatian on public radio and television (*RTCG*) is limited. Croatian is used more in private media, but the authorities are encouraged to increase their financial support. Funding of print media (“*Hrvatski glasnik*”, a monthly magazine) is still project based. Croatian is used by one private radio station (*Radio Dux*) and its portal, which receives state funding on a project basis only. *Radio Dux* receives additional funding from public marketing promotions or commercials, from the municipalities of Tivat and Kotor, and from Croatia. The premises of the Croatian National Council are housing the “*Čitaonica*” library and a cultural centre, as well as the studio of the *Radio Dux*. The rental contract of the building expired in April 2022 and has not been renewed by the local council of Tivat. This situation puts the operation of both institutions in danger. Therefore, the Committee of Experts calls upon the state authorities to mediate between the parties concerned in order to resolve this dispute.

55. The municipalities of Kotor and Tivat work on the promotion of Croatian culture jointly, in the form of organising cultural events and student exchanges. Financial support comes mainly from Croatia, therefore the state authorities are asked to substantially increase their contribution to the funding of Croatian culture and language.

### Romani - Part III language

56. The situation of Romani language is controversial in Montenegro. Romani is not recognised by the Constitution of Montenegro as a language in official use, but Romani is protected under Part II and Part III of the Charter, in accordance with the instrument of ratification. There is an evident collision between the domestic legislation and the obligation to ensure a high level of protection, which is enshrined by the ratification of the Charter. As a consequence, there has been no improvement in the status of Romani since the fifth monitoring cycle. There does not seem to be a political will to recognise Romani as a language in official use in the same way as it was achieved for Albanian, Bosnian, and Croatian.

57. The recognition and promotion of Romani is hampered further by the fact that the speakers live mostly in and around the capital. Therefore, their small population does not reach the 5% threshold necessary for the introduction of this language into official use in the capital area, nor do they reach this threshold in any of the local administrative units. The Committee of Experts therefore confirms its position, that Romani should be recognized and introduced into official use in at least one administrative unit irrespective of the 5% threshold.<sup>21</sup>

58. Consecutive governments of Montenegro prioritize improving the overall living conditions, reducing negative social attitudes, and enhancing the social inclusion of Roma and Egyptians in the Montenegrin society, over the preservation and promotion of the Romani language.<sup>22</sup> Although government efforts described in detail in the sixth periodical report reduced the drop-out rate of Roma children from the educational system and increased the social inclusion of Roma, they cannot be considered as a fulfilment of obligations of Montenegro in respect of Romani as a language protected by Part III of the Charter. As a result of the interlocking problems, most of the undertakings under the Charter remain non-fulfilled, therefore the recommendation of the Committee of Ministers from the last monitoring round remains valid.<sup>23</sup>

59. On the basis of recent amendments to the legislation, the Roma National Council chose the blue-green Roma flag with the Roma wheel as the official banner and the song *Đelem, đelem* as the national anthem of the Roma speakers. These symbols are used on some websites related to Roma and in some government communications too. The Committee of Experts welcomes this practice.

60. The speakers were not aware of any cases of discrimination based on language since the last monitoring round. In their view, the general perception of Roma is slowly improving. State authorities honour anniversaries or historical events important for the Roma community more frequently and on a higher level of representation.<sup>24</sup> Romani was used for the first time in the parliament in a speech given by the Roma representative of the Youth Parliament, with considerable media coverage, in December 2022.

61. Despite the recommendation of the Committee of Ministers in the previous monitoring cycle to **“introduce Romani in education and provide teacher training and teaching material in Romani” (Recommendation No. 2 - CM/RecChI (2020)4)**, there was no improvement. Romani is still not taught at any level of public education in Montenegro. However, speakers confirmed during the on-the-spot visit that there is a need for education in Romani from the very early age. Requests of the parents for education in Romani were registered both by the authorities and the Committee of Experts. The Committee therefore reminds the authorities to comply with their obligations under Articles 7 and 8 of the Charter, and to take effective steps in order to introduce Romani into all levels of public education, in accordance with the ratification instrument.

62. Romani is only taught in Montenegro by non-qualified staff of local Roma organisations, on a voluntary basis. Education is provided in summer and winter schools or camps, for one hour per day, for only one week. Teaching materials come from the neighbouring countries. Financial support comes mainly from international

<sup>21</sup> See also para 10 of this report and similar approaches by the Committee of Experts aiming at the implementation of Article 10 of the Charter, irrespective of national minority thresholds as to Part III regional or minority languages spoken in the states parties e.g. second Report of the Committee of Experts on Bosnia and Herzegovina, [ECRML\(2016\)3](#), para. 173; Fourth Report of the Committee of Experts on the Slovak Republic, [ECRML\(2016\)2](#) para. 33; Third Report of the Committee of Experts on Serbia, [ECRML\(2016\)1](#), para. 14-15; Second Report of the Committee of Experts on Ukraine, [ECRML\(2014\)3](#), para. 17-19.

<sup>22</sup> The successive government apply the same measures to Roma and Egyptians in the field of social inclusion and improvement of the overall living conditions. However, as the members of Egyptian national minority mainly speak Albanian, their situation under the Charter cannot be evaluated together with the Romani speakers.

<sup>23</sup> In the fifth monitoring round the Committee of Ministers recommended Montenegro to “develop a coherent strategy for the protection and promotion of Romani” (Recommendation No. 1 - [CM/RecChI \(2020\)4](#)).

<sup>24</sup> Organised by Ministry of Human and Minority Rights, the International Day of Remembrance of the Victims of the Roma and Sinti Holocaust was marked with the presence of many Montenegrin and foreign dignitaries in August 2021. Several celebrations marked the International Day of Roma in Montenegro in April 2020 and 2021. A round table was held on the “Language and Culture of Roma in Montenegro” in the organisation of the CEKUM and with the participations of renowned professors of linguistic in 2023.

organisations and foreign donors. Action programmes partially aimed at the introduction of Romani language into public education have been adopted in the previous monitoring round. However, there is no information on the actual implementation of these commitments at present.

63. CEKUM has prepared a completely new Montenegrin-Romani and Romani-Montenegrin dictionary, which will better reflect the Gurbeti dialect spoken in Montenegro compared to the dictionary published in 2015.<sup>25</sup> The dictionary that is scheduled to be published in 2023, provides guidelines for the codification of Romani and is expected to be a starting point for future standardisation. In current conditions, written texts are often translated into Romani abroad.

64. The lack of qualified teachers continues to be an obstacle preventing the introduction of Romani into education. Possible ways of training teachers in Montenegro and abroad have been recommended to the state authorities in the previous monitoring cycles, but with no results.<sup>26</sup> Therefore, the Committee of Experts urges the state authorities to provide sufficient financing, remove administrative obstacles, and co-operate with the neighbouring states where Romani is in a more favourable situation,<sup>27</sup> in order to fulfil its obligations under Article 8 of the Charter. There are plans to introduce Romani in grades 6-9 and a study programme at the Faculty of Philology, University of Montenegro.

65. In co-operation with the private Institute of Foreign Languages Podgorica, the authorities organised trainings for the Roma activists, mediators and journalists to expand their knowledge of Roma identities, culture, history and tradition. Two modules of the Roma Studies Programme of the Institute, 60 hours each, licenced by the Ministry of Education, were held in 2022 (“Roma Identities” and “Culture of Roma”). The first module was funded by the Regional Cooperation Council (RCC) and supported by the Ministry of Minority and Human Rights. The second module was funded by the Ministry of Education.

66. There is insufficient information on the use of Romani in the judiciary, and there is still a lack of qualified court interpreters in this language. The Committee of Experts invites the authorities to provide concrete information whether Romani is used in court proceedings when the party is a Montenegrin citizen. Romani is not used at any level of administration. According to the sixth periodical report, no ID-card, passport or driving licence applications containing a request to register personal data in Romani have been received since 2019.

67. The Committee of Experts has no information of any programmes in Romani in public radio. RTCG broadcasts “Savore” twice a month for 25 minutes, although in the less-spoken Arli dialect, on television. Translation and subtitling require excellent knowledge of both Romani and Montenegrin. In addition to the lack of standardisation of Romani, this makes translating difficult. Although job opportunities are available, there are no Romani-speaking journalists with a university degree in any of the Montenegrin media, which is a precondition of employment as editors or journalists.<sup>28</sup> In case of employment opportunities without the requirement of a university degree, the salaries are low, which is why young job seekers do not see their future in the Romani media.

68. The presence of Romani in private electronic media was diminished, because “*Roma Radio*”, which was transmitted only in the region of Podgorica, was closed, after 11 years of operation, in 2023. According to the former editor of this private radio channel, the obsolete technology used for transmission could not be maintained any longer. There are no funds available to acquire new equipment, nor to continue financing “*Roma Radio*” either. Romani is not present on private television.

69. “*Alav*” is still the only journal published once a year in the Romani language. With the introduction of “*RomaNet*”, the successor of “*Romalitika*”, the first portal in Romani, the presence of Romani has been strengthened in a form of publications, podcasts and talk-shows in social media.

<sup>25</sup> According to the census of 2011, out of 6 251 Montenegrin citizens who speak Romani, 5 169 speak the Gurbeti dialect and other Roma people speak the Čergari-Natidialect.

<sup>26</sup> See para. 63 of the Fifth Report of the Committee of Experts in respect of Montenegro.

<sup>27</sup> See e.g. Third Report of the Committee of Experts on Serbia; Fifth report of the Committee of Experts on Croatia, [ECRML\(2015\)2](#), para. 71.

<sup>28</sup> See also [Resolution CM/ResCMN\(2021\)14](#), Rec No. 13, on the implementation of the Framework Convention for the Protection of National Minorities by Montenegro.



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

### 2.1 Albanian

#### 2.1.1 Compliance of Montenegro 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 last monitoring cycle:  improvement  deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Montenegro concerning Albanian <sup>29</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of 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	<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 Albanian</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 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	<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 Albanian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Albanian 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 Albanian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Albanian</li> </ul>	=				

<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/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

<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 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.a.iv	favour and/or encourage the provision of pre-school education in Albanian or a substantial part of pre-school education in Albanian <sup>30</sup>				
8.1.b.ii	make available a substantial part of primary education in Albanian	=			
8.1.b.iv	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 <sup>31</sup>				
8.1.c.iii	provide, within secondary education, for the teaching of Albanian as an integral part of the curriculum	=			
8.1.c.iv	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 <sup>32</sup>				
8.1.d.iv	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	=			
8.1.e.ii	provide facilities for the study of Albanian as an university and higher education subject	=			
8.1.f.iii	favour and/or encourage the offering of Albanian as a subject of adult and continuing education	=			
8.1.g	ensure the teaching of the history and the culture which is reflected by Albanian		=		
8.1.h	provide the basic and further training of the teachers teaching (in) 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.a.iv	produce, on request, documents connected with criminal legal proceedings 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	=			
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Albanian and the related use of documents and evidence in Albanian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned	=			
9.2.a	not to deny the validity of legal documents solely because they are drafted in Albanian	=			
9.2.b	[not to deny the validity, as between the parties, of legal documents solely because they are drafted in Albanian, and provide that they can be invoked against third parties who are not users of Albanian] <sup>33</sup>				
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] <sup>34</sup>				
9.3	make available in Albanian the most important national statutory texts and those relating particularly to users of Albanian	=			

<sup>30</sup> Montenegro has ratified Articles 8.1.a.iii and 8.1.a.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 8.1.a.iv.

<sup>31</sup> Montenegro has ratified Articles 8.1.b.ii and 8.1.b.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 8.1.b.iv.

<sup>32</sup> Montenegro has ratified Articles 8.1.c.iii and 8.1.c.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 8.1.c.iv.

<sup>33</sup> Montenegro has ratified Articles 9.2.a, 9.2.b and 9.2.c, which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 9.2.b and 9.2.c.

<sup>34</sup> See above.

<b>Art. 10 – Administrative authorities and public services</b>					
10.1.a.iii	ensure that users of Albanian may submit oral or written applications to local branches of the national authorities and receive a reply in Albanian	↗			
10.1.a.v	[ensure that users of Albanian may submit oral or written applications in Albanian to local branches of the national authorities] <sup>35</sup>				
10.1.av	[ensure that users of Albanian may validly submit a document in Albanian to local branches of the national authorities] <sup>36</sup>				
10.1.c	allow the national authorities to draft documents in Albanian	=			
10.2.b	possibility for users of Albanian to submit oral or written applications in Albanian to the regional or local authority	=			
10.2.d	publication by local authorities of their official documents also in Albanian	=			
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Albanian	=			
10.3.a	ensure that Albanian is used in the provision of public services	=			
10.4.a	translation or interpretation	=			
10.4.c	compliance 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.bii	encourage and/or facilitate the broadcasting of private radio programmes in Albanian on a regular basis	=			
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Albanian on a regular basis	=			
11.1.d	encourage and/or facilitate the production and distribution of audio and audio-visual works in Albanian	=			
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Albanian I	=			
11.1.fii	apply existing measures for financial assistance also to audio-visual productions 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.b	foster access in other languages to works produced in Albanian by aiding and developing translation, dubbing, post-synchronisation and subtitling	=			
12.1.c	foster access in Albanian to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling	=			
12.1.f	encourage direct participation by representatives of the users of Albanian in providing facilities and planning cultural activities	=			
12.2	In territories other than those in which Albanian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Albanian	=			
<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	=			

\* **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 or the Committee of Experts has over several monitoring cycles not received any information on the implementation.

<sup>35</sup> Montenegro has ratified Articles **10.1.a.iii**, **10.1.a.iv** and **10.1.av**, which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles **10.1.a.iv** and **10.1.av**.

<sup>36</sup> See above.

**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 last monitoring cycle**

70. Various application forms and some certificates were made available in Albanian in the field of taxation and employment in state level administration during the last monitoring round. According to the authorities, there are further plans for improvement of the selection of forms in Albanian, and also a revision of the way language rights are explained and put on display in the administrative offices. Local branches of the national authorities employ officials speaking Albanian in sufficient numbers which makes communication in this language ensured, therefore Article 10.1.a.iii is considered fulfilled.

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

The Committee of Experts encourages the authorities of Montenegro 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 Montenegro<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**

The Committee of Experts has no recommendations for immediate action at present.

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

- a. Reinststate and further increase the level of funding of the CEKUM and the Fund and promote cultural identity as reflected by Albanian.
- b. Ensure that the schools base their teaching on the values of mutual tolerance, interculturalism and multilingualism when organising pre-school, primary and secondary school teaching in Albanian or Montenegrin.
- c. Consult the Albanian National Minority Council and other representatives of speakers in order to issue guidelines for the determination of the content of the 20% of the open curricula.

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<sup>37</sup> [CM/RecChL\(2010\)1](#); [CM/RecChL\(2012\)4](#); [CM/RecChL\(2015\)3](#); [CM/RecChL\(2017\)3](#); [CM/RecChL\(2020\)4](#).

## 2.2 Bosnian

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

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

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Montenegro concerning Bosnian <sup>38</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Bosnian 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 Bosnian	=				
7.1.c	resolute action to promote Bosnian		=			
7.1.d	facilitation and/or encouragement of the use of Bosnian, 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 Bosnian</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 Bosnian at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Bosnian to learn it	=				
7.1.h	promotion of study and research on Bosnian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Bosnian		=			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Bosnian	=				
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 Bosnian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Bosnian 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 Bosnian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Bosnian</li> </ul>		=			

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

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

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

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

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking or the Committee of Experts has over several monitoring cycles not received any information on the implementation.

**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.

<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).

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

The Committee of Experts encourages the authorities of Montenegro to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.2.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Montenegro<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**

The Committee of Experts has no recommendations for immediate action at present.

### **II. Further recommendations**

- a. Reinststate and further increase the level of funding of the CEKUM and the Fund and promote cultural identity as reflected by Bosnian.
- b. Consult the Bosnian National Minority Council and other representatives of speakers in order to issue guidelines for the determination of the content of the 20% of the open curricula.

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<sup>39</sup> [CM/RecChL\(2010\)1](#); [CM/RecChL\(2012\)4](#); [CM/RecChL\(2015\)3](#); [CM/RecChL\(2017\)3](#); [CM/RecChL\(2020\)4](#).

## 2.3 Croatian

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

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

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Montenegro concerning Croatian <sup>40</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Croatian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Croatian	=				
7.1.c	resolute action to promote Croatian		=			
7.1.d	facilitation and/or encouragement of the use of Croatian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Croatian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Croatian at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Croatian to learn it	=				
7.1.h	promotion of study and research on Croatian at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Croatian		=			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Croatian	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Croatian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Croatian among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Croatian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Croatian</li> </ul>	=				

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

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

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

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

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking or the Committee of Experts has over several monitoring cycles not received any information on the implementation.

**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.

<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).



### **2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Croatian in Montenegro**

The Committee of Experts encourages the authorities of Montenegro to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.3.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Montenegro<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**

The Committee of Experts has no recommendations for immediate action at present.

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

- a. Reinststate and further increase the level of funding of the CEKUM and the Fund, and promote cultural identity as reflected by Croatian.
- b. Consult the Croatian National Minority Council and other representatives of speakers in order to issue guidelines for the determination of the content of the 20% of the open curricula.

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<sup>41</sup> [CM/RecChL\(2010\)1](#); [CM/RecChL\(2012\)4](#); [CM/RecChL\(2015\)3](#); [CM/RecChL\(2017\)3](#); [CM/RecChL\(2020\)4](#).

## 2.4 Romani

### 2.4.1 Compliance of Montenegro 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 last monitoring cycle:  improvement  deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Montenegro concerning Romani <sup>42</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Romani as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Romani	=				
7.1.c	resolute action to promote Romani		↑			
7.1.d	facilitation and/or encouragement of the use of Romani, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life				=	
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Romani</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>				=	
7.1.f	provision of forms and means for the teaching and study of Romani at all appropriate stages				=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Romani to learn it				=	
7.1.h	promotion of study and research on Romani at universities or equivalent institutions				=	
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Romani				=	
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Romani		=			
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Romani among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Romani among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Romani</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Romani</li> </ul>		=			
<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 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.a.iv	favour and/or encourage the provision of pre-school education in Romani or a substantial part of pre-school education in Romani <sup>43</sup>					
8.1.b.ii	make available a substantial part of primary education in Romani				=	
8.1.b.iv	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 <sup>44</sup>					
8.1.c.iii	provide, within secondary education, for the teaching of Romani as an integral part of the curriculum				=	

<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).

<sup>43</sup> Montenegro has ratified Articles 8.1.a.iii and 8.1.a.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 8.1.a.iv.

<sup>44</sup> Montenegro has ratified Articles 8.1.b.ii and 8.1.b.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 8.1.b.iv.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Montenegro concerning Romani<sup>42</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
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 <sup>45</sup>					
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.eii	provide facilities for the study of Romani as an university and 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				=	
8.1.h	provide the basic and further training of the teachers teaching (in) Romani				=	
<b>Art. 9 – Judicial authorities</b>						
9.1.aii	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				=	
9.1.aiii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Romani, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				=	
9.1.aiv	produce, on request, documents connected with criminal legal proceedings in Romani, 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 Romani 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 Romani 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 Romani 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 Romani in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				=	
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Romani and the related use of documents and evidence in Romani, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned				=	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Romani	=				
9.2.b	[not to deny the validity, as between the parties, of legal documents solely because they are drafted in Romani, and provide that they can be invoked against third parties who are not users of Romani] <sup>46</sup>					
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] <sup>47</sup>					
9.3	make available in Romani the most important national statutory texts and those relating particularly to users of Romani	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.aiii	ensure that users of Romani may submit oral or written applications to local branches of the national authorities and receive a reply in Romani				=	
10.1.aiv	[ensure that users of Romani may submit oral or written applications in Romani to local branches of the national authorities] <sup>48</sup>					

<sup>45</sup> Montenegro has ratified Articles 8.1.ciii and 8.1.civ which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 8.1.civ.

<sup>46</sup> Montenegro has ratified Articles 9.2.a, 9.2.b and 9.2.c, which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 9.2.b and 9.2.c.

<sup>47</sup> See above.

<sup>48</sup> Montenegro has ratified Articles 10.1.aiii, 10.1.aiv and 10.1.av, which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 10.1.aiv and 10.1.av.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Montenegro concerning Romani<sup>42</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
10.1.av	[ensure that users of Romani may validly submit a document in Romani to local branches of the national authorities] <sup>49</sup>					
10.1.c	allow the national authorities to draft documents in Romani				=	
10.2.b	possibility for users of Romani to submit oral or written applications in Romani to the regional or local authority				=	
10.2.d	publication by local authorities of their official documents also in Romani				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Romani					=
10.3.a	ensure that Romani is used in the provision of public services				=	
10.4.a	translation or interpretation				=	
10.4.c	compliance 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.bii	encourage and/or facilitate the broadcasting of private radio programmes in Romani on a regular basis				✓	
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 audio-visual works in Romani		=			
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Romani				=	
11.1.fii	apply existing measures for financial assistance also to audio-visual productions in 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.b	foster access in other languages to works produced in Romani by aiding and developing translation, dubbing, post-synchronisation and subtitling		=			
12.1.c	foster access in Romani to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling		=			

<sup>49</sup> See above.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Montenegro concerning Romani <sup>42</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.1.f	encourage direct participation by representatives of the users of Romani in providing facilities and planning cultural activities	=				
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 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 or the Committee of Experts has over several monitoring cycles not received any information on the implementation.

**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 last monitoring cycle

71. Progress has been achieved in promoting Romani. The Ministry of Education and the Ministry of Minorities and Human Rights supported organisation of two trainings on Roma culture, history, tradition and identity. In addition, the CEKUM is publishing a new Montenegrin-Roma and Roma-Montenegrin dictionary. There are plans to start a study program on Romani at the University of Montenegro. A speech in Romani was given for the first time in the parliament in 2022 (see para. 62 and 65-66 of this report). For these reasons the Committee of Experts considers Article 7.1 c partly fulfilled.

72. There was a reduction in the budget in the case of CEKUM, and to a lesser extent in the budget of the Fund, since 2020. Although the level of financing of cultural events and language projects in Romani has been slowly increased over the years, it remains insufficient. Therefore, the Committee of Experts still considers Articles 7.1.d. not fulfilled in this monitoring cycle. Consequently, it asks the authorities to increase the level of financing Romani beyond the level provided until 2020 and adopts a recommendation in this respect.

73. The presence of Romani in private electronic media was diminished, because “*Roma Radio*”, which was transmitted only in the region of Podgorica, was closed, after 11 years of operation, in 2023. There are no funds to restart the only radio station that was using Romani on a regular basis, therefore the Committee of Experts considers Articles 11.1.bii not fulfilled.

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

The Committee of Experts encourages the authorities of Montenegro to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.4.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Montenegro<sup>50</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.

<sup>50</sup> [CM/RecChL\(2010\)1](#); [CM/RecChL\(2012\)4](#); [CM/RecChL\(2015\)3](#); [CM/RecChL\(2017\)3](#); [CM/RecChL\(2020\)4](#).

**I. Recommendations for immediate action**

- a. **Introduce Romani into formal education in co-operation with the speakers.**
- b. **Develop and implement a coherent strategy for the basic and further teacher training for the teaching in/of Romani in co-operation with the speakers.**
- c. **Introduce Romani in official use in at least one local self-government unit, where the Romani speakers have their highest concentration.**

**II. Further recommendations**

- d. Reinststate and further increase the level of funding of the CEKUM and the Fund, and promote cultural identity as reflected by Romani.
- e. Provide adequate teaching materials in Romani.
- f. Consult the national minority council and other representatives of speakers in order to issue guidelines for the determination of the content of the 20% of the open curricula.
- g. Ensure sufficient numbers of trained Romani interpreters to enable the use of Romani in criminal and civil proceedings as well as in proceedings concerning administrative matters, in accordance with the undertakings ratified.
- h. Provide training for Romani-speaking journalists in order to strengthen the editorial capacities of public and private media.

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

The Committee of Experts, while acknowledging the efforts the Montenegrin authorities 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 Montenegro:

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 Montenegro on 15 February 2006 and updated on 13 October 2006;

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

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

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

1. make sure that the level and the mechanism for providing sustainable state funding to minority language projects are adequate;
2. develop a coherent strategy for the protection and promotion of Romani, introduce Romani in education and provide teacher training and teaching materials in Romani;
3. take all the necessary measures to ensure the use of Romani in practice by judicial and administrative authorities in the areas where Romani speakers are present in sufficient numbers;
4. make Bosnian and Croatian languages more visible in the media and in education.

The Committee of Ministers invites the authorities of Montenegro to submit the information on the recommendations for immediate action by 6 December 2024, and the seventh periodical report by 6 June 2027.<sup>51</sup>

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<sup>51</sup> See Committee of Ministers Decisions [CM/Del/Dec\(2018\)1330/10.4e - CM-Public](#), and Outlines for the periodical reports on the implementation of the European Charter for Regional or Minority Languages to be presented by the states parties, [CM\(2019\)69 final](#).



## Appendix I: Instrument of Ratification



### 1. Montenegro

**Declaration contained in the instrument of ratification deposited by the state union of Serbia and Montenegro, on 15 February 2006 - Or. Engl. - and updated by a letter from the Ministry of Foreign Affairs of Montenegro, dated 13 October 2006, registered at the Secretariat General on 19 October 2006 - Or. Engl.**

In accordance with Article 2, paragraph 2, of the Charter, Montenegro has accepted that the following provisions be applied in the Republic of Montenegro, for the Albanian and Romani languages :

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

Article 9, paragraph 1 a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii), d, paragraph 2 a, b, c, paragraph 3;

Article 10, paragraph 1 a (iii), a (iv), a (v), c, paragraph 2 b, d, g, paragraph 3 a, paragraph 4 a, c, paragraph 5;

Article 11, paragraph 1 a (iii), b (ii), c (ii), d, e (i), f (ii), paragraph 2, paragraph 3;

Article 12, paragraph 1 a, b, c, f, paragraph 2;

Article 13, paragraph 1 c.

**[Note by the Secretariat:** The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.]

**Period covered: 06/06/2006 -**

Articles concerned: 1

**Reservation contained in the instrument of ratification deposited by the state union of Serbia and Montenegro, on 15 February 2006 - Or. Engl.**

As to Article 1.b of the Charter, Serbia and Montenegro declares that the term "territory in which the regional or minority languages is used" will refer to areas in which regional and minority languages are in official use in line with the national legislation.

**[Note by the Secretariat:** The Committee of Ministers of the Council of Europe decided on its 967th meeting that the Republic of Montenegro is to be considered a Party to this treaty with effect from 6 June 2006.]

**Period covered: 06/06/2006 -**

Articles concerned: 2



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.

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

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

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

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

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.