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Addendum 1

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**Initial Periodical Report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

SLOVAKIA

*Comments/questions submitted to the
Government of Slovakia
regarding its Initial Periodical Report*

**COMMITTEE OF EXPERTS FOR THE EUROPEAN CHARTER
FOR REGIONAL OR MINORITY LANGUAGES**

Comments/questions submitted to the Government of Slovakia
regarding its initial Periodical Report

During its 18th meeting, the Committee of Experts for the European Charter for Regional or Minority Languages made a preliminary examination of the Slovak Initial Periodical Report on the implementation of the Charter. The Committee of Experts did not finalise the examination of the report at this meeting. It was observed that a number of elements in the report needed to be clarified before the Committee of Experts would be in a position to undertake a more detailed examination as required by the Charter.

The Slovak Government is therefore requested to reply to the following questions in order for the Committee of Experts to continue its examination of the Initial Report. This questionnaire will additionally serve as the working document during its forthcoming “on-the-spot visit” to Slovakia.

This document contains a copy of the Outline for Periodical Reports. The questions that the Committee of Experts would like the authorities to reply to are presented in numerical order inside the original outline for clarification purposes.

PART I

1. Please state the main legal act(s) whereby the European Charter for Regional or Minority Languages has been implemented in your State. If you so desire, please mention the general considerations which have guided your country in the ratification process.

Question no. 1. Please inform the Committee of Experts on the current status of the (draft) act on minorities.

Question no. 2. Please explain the relationship between the list of municipalities/settlements contained in the Government Ordinance (GO) 221/1999 Coll. and the list of municipalities based on the census of 26 May 2001 (see Annexes 3 to 8 of the initial periodical report). In particular, are the two lists identical or did the situation change with the last census (for instance, new municipalities including minorities above the 20% threshold or minorities losing the 20% status) ? If such changes have occurred, did the Government promulgate a new Government Ordinance based on the above-mentioned census? If yes, please provide additional information.

2. Please indicate all regional or minority languages, as defined in paragraph a of Article 1 of the Charter, which exist on your State's territory. Indicate also the parts of the territory of your country where the speakers of such language(s) reside.

3. Please indicate the number of speakers for each regional or minority language. Specify the criteria for the definition of "speaker of regional or minority language" that your country has retained for this purpose.

Question no. 3. Please specify the territories where, according to the initial periodical report (p. 35), the percentage of speakers of Bulgarian, Croatian, Czech and Polish does not reach the 20% threshold. Please specify the related percentages and degrees of concentration of the speakers of these languages.

Question no. 4. For the other languages, please specify whether their speakers are also present, in numbers which do not currently reach the 20% threshold, in municipalities other than those listed in the Appendix to the Slovak Government Ordinance No. 221/1999 Coll. In this case, please indicate their numbers and degree of concentration.

4. Please indicate the non-territorial languages, as defined in paragraph c, Article 1 of the Charter, used on your State's territory and provide statistical data concerning speakers.

Question no. 5. Please provide information on the situation of Yiddish or Hebrew.

5. Please indicate if any body or organisation, legally established, exists in your State, which furthers the protection and development of regional or minority languages. If so, please list the names and addresses of such organisations.

Question no. 6. Please provide information in this regard.

6. Please indicate if any body or organisation has been consulted on the preparation of this periodical report. In the case of an affirmative answer, specify which one(s).

Question no. 7. Have any NGOs representing the various language groups been consulted on the preparation of the initial periodical report ?

7. Please indicate the measures taken (in accordance with Article 6 of the Charter) to make better known the rights and the duties deriving from the application of the Charter.

Question no. 8. Please indicate in what way the initial periodical report was made public, in conformity with Article 15 para. 1 of the Charter.

PART II

Objectives and principles pursued in accordance with Article 2, paragraph 1

1. Please indicate what measures your State has taken to apply Article 7 of the Charter to the regional or minority languages referred to in paragraphs 2 and 4 of part I above, specifying the different levels of government responsible.
2. If appropriate, state any future measures which are envisaged in your country.

Article 7 – Objectives and principles

- 1 *In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:*

(...)

- e *the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;*

Question no. 9. Please provide information on the practical measures taken to implement this provision.

- g *the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;*

Question no. 10. Please provide information on the practical measures taken to implement this provision.

- h *the promotion of study and research on regional or minority languages at universities or equivalent institutions;*

Question no. 11. Please provide additional information on the practical measures taken to implement of this provision.

- i *the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.*

Question no. 12. Please elaborate further on the practical measures taken to implement of this provision.

(...)

- 3 *The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education*

and training provided within their countries and encouragement of the mass media to pursue the same objective.

Question no. 13. Please indicate what measures are taken in the context of the education system to promote a better knowledge and understanding by the majority Slovak-speaking population of the regional or minority languages spoken in Slovakia.

Question no. 14. Please also indicate how this objective is pursued in the context of the mass media.

- 4 *In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.*

Question no. 15. Please elaborate further on the practical measures taken to implement this provision.

- 5 *The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.*

Question no. 16. Please comment on the implementation of this provision in the case of Yiddish or Hebrew.

PART III

Measures to promote the use of regional or minority languages in public life in accordance with the undertakings entered into under Article 2, paragraph 2

For each regional or minority language chosen at the moment of ratification, as follows from paragraph 2, Article 2 of the Charter, please indicate in which way the paragraphs and/or sub-paragraphs have been implemented, see Appendix.

When indicating the measures taken in order to implement each paragraph or sub-paragraph chosen, please specify the relevant legal provision and the territory where they are applicable.

Preliminary question

Question no. 17. Please explain the approach of the Slovak authorities regarding the implementation of the relevant provisions of the Charter in the case of those languages which do not reach the 20% threshold but which are nevertheless covered by Part III of the Charter.

Specific questions

Article 8 – Education

Question no. 18. Please clarify the situation of pre-school education for Bulgarian, Croatian, Czech, Polish, Romany, Ruthenian and Ukrainian.

Question no. 19. Please provide additional information concerning primary school education for Croatian and Ruthenian.

Question no. 20. Please clarify the statement (on p. 23 of the initial periodical report) according to which the Slovak Government intends to offer the possibility of choice of teaching in the mother tongue to the Ruthenian and Roma minorities. What exactly is the present situation, and what, practically, is envisaged?

Question no. 21. (concerns Romany) – Please explain how the issue of the standardisation of the Romany language has been dealt with.

Question no. 22. (concerns Romany) – Please explain what the use of Romany as an auxiliary language of instruction means in practice.

Question no. 23. (concerns Ruthenian) - Please explain how the issue of the standardisation of the Ruthenian language has been dealt with. Please indicate also what sort of teaching materials are used in the case of the Ruthenian language.

Question no. 24. Please clarify the situation of secondary school instruction for the Bulgarian, Croatian, Czech, German, Polish and Ruthenian languages.

Question no. 25. Please provide additional information on vocational school instruction for the Bulgarian, Croatian, Czech, German, Polish, Romany, Ruthenian and Ukrainian languages.

Question no. 26. (concerns all languages) - Please provide additional information as to what sort of regional or minority language instruction is provided in practice at university level.

Question no. 27. (concerns all languages) – Please provide further information on how basic and further teacher training for regional or minority languages works in practice.

Question no. 28. (concerns all languages) – Please clarify how the obligation embodied in Article 8 para. 1.i is implemented in practice. What concrete measures are taken?

Article 9 – Judicial authorities

Question no. 29. (concerns all the languages) – The understanding of the Committee of Experts is that interpretation into or from a regional or minority language in criminal proceedings is provided only if the accused person, or the witness for example, does not have a sufficient command of Slovak, whereas it is not provided if the accused person, or the witness, does have a command of Slovak. Please confirm that this understanding is correct. In other words, does an accused person have the right to address the court in his or her language, even if he or she understands Slovak ?

Question no. 30. (concerns all the languages) - Please indicate what is the number of magistrates in criminal, civil or administrative courts having a command of the regional or minority languages concerned.

Question no. 31. (concerns all the languages) - Please indicate what is the share of administrative staff in courts having a command of the regional or minority languages concerned.

Question no. 32. (concerns all the languages) –What practical measures are taken to ensure that the speakers of regional or minority languages are informed of their right to use such languages?

Question no. 33. (concerns all languages) – Please provide figures and concrete examples of cases where regional or minority languages have been used in court proceedings. In particular, the most recent references to case-law in the initial periodical report (see pp. 80-81) go back to 1994. Are there more recent cases (or an established practice of courts concerning the use of minority languages), for the last 10 years?

Article 10 – Administrative authorities and public services

Question no. 34. For those languages covered by Part III of the Charter, whose speakers do not attain the 20% threshold, how are the undertakings entered into by Slovakia under Article 10 implemented in practice?

Question no. 35. (concerns all the languages) – Please explain what is the degree of practical implementation of the undertakings chosen under paras. 1 and 2 of Article 10, by providing also concrete examples.

Question no. 36. (concerns all the languages) –What practical measures are taken to ensure that the speakers of regional or minority languages are informed of their right to use such languages?

Question no. 37. (concerns Hungarian) – Please provide concrete examples concerning the practical implementation of the undertaking entered into by Slovakia under Article 10 para. 3.b.

Question no. 38. (concerns all languages) – Please elaborate further on how the undertaking entered into by Slovakia under Article 10 para. 3.c is implemented in practice.

Article 11 – Media

Question no. 39. What is the situation of the Croatian language concerning public television ?

Question no. 40. (concerns all languages) - Please comment on the practical implementation of Article 11 paras. 1.b.ii and c.ii., which are concerned with the encouragement and/or facilitation of the broadcasting of radio and television programmes in the regional or minority languages by the private sector on a regular basis.

Question no. 41. (concerns all languages) – Please elaborate further on the practical implementation of the undertakings entered into by Slovakia under Article 11 para. 1.d, e.i and f.ii, as well as under Article 11 para. 3.

Article 12 – Cultural activities and facilities

Question no. 42. (concerns all languages) – Please elaborate further on the practical implementation in particular of Article 12 para. 1 d., e., f. and g.

Question no. 43. (concerns all languages) – Please provide information on the implementation of the undertaking entered into by Slovakia under Article 12 para. 2.

Question no. 44. (concerns all languages) – Please comment on the practical implementation of the undertaking entered into by Slovakia under Article 12 para. 3. Please provide in particular examples of how the Slovak authorities present the diverse linguistic and cultural heritage of Slovakia in contexts such as cultural exchanges, European or international exhibitions or events, documentation on the country aiming at

an international public, official maps, brochures and guides used to promote the image of the country abroad, *inter alia* for touristic purposes, etc.