



COUNCIL CONSEIL
OF EUROPE DE L'EUROPE

Strasbourg, 2 June 2009

MIN-LANG/PR (2009) 3

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**Third periodical report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

SLOVENIA

TABLE OF CONTENTS

Introduction	3
Part I	14
Part II	25
Part III	48
Article 8 – Education	50
Article 9 – Judicial authorities	64
Article 10 – Administrative authorities and public services	73
Article 11 – Media	93
Article 12 – Cultural activities and facilities	104
Article 13 – Economic and social life	113
Article 14 – Transfrontier exchanges	117
Annex 1	122
Annex 2	133
Annex 3	135

INTRODUCTION

1. The territory of the present Slovenian state and some bordering countries have been since the end of 6th century predominantly populated by the Slavs. The Slavic linguistic group also includes the Slovenian people as a distinct ethnic entity. The ancestors of the present-day Slovenian people were integrated into other states through most of the history. On the basis of the first democratic elections in April 1990 and the plebiscite in December 1990, the Republic of Slovenia declared its independence on 25 June 1991, following the dissolution of the Socialist Federal Republic of Yugoslavia.

System of government: Pursuant to the Constitution of the Republic of Slovenia, adopted on 23 December 1991, Slovenia is a parliamentary democracy. The Constitution is the highest legal act, which is adopted and can be amended by the National Assembly in a special procedure (requiring a two-thirds majority). Other legal instruments include (in hierarchical order): laws adopted by the National Assembly; decrees adopted by the Government of the Republic of Slovenia for the implementation of laws; regulations, guidelines and orders adopted by ministries for the implementation of laws and government decrees; regulations of local self-governing authorities on matters within their competence.

The Republic of Slovenia is represented by the President of the Republic, who is also the commander-in-chief of the Slovenian defence forces. The President is elected in direct elections for a five-year term and may be elected for a maximum of two consecutive terms. The highest legislative body is the National Assembly (90 deputies), which adopts laws. The National Council (40 members) is the representative body for social, economic, professional and local interests and has an advisory role. The Government is the executive power and is responsible to the National Assembly.

Judiciary: Judges are independent in performing their function. They are bound by the Constitution and laws. There are local and district courts; higher courts are appellate courts, while the Supreme Court is the highest court in the judicial system.

The Constitution of the Republic of Slovenia, adopted in December 1991, introduced into the Slovenian legal order the institution of the Human Rights Ombudsman. The Human Rights Ombudsman reports about his/her work to the National Assembly. The first Slovenian Human Rights Ombudsman was elected in September 1994.

Local self-government: Residents of Slovenia exercise local self-government in municipalities and other local communities. There are 210 municipalities in Slovenia, 11 of which have the status of an urban municipality.

The national territory of the Republic of Slovenia is traditionally and historically also settled by the Italian and Hungarian national communities and the Roma ethnic community. Their status and special rights are protected by the Constitution and sector-specific laws. The members of other nations residing in Slovenia are

Albanians, Austrians, Bosniacs, Croats, Germans, Macedonians, Montenegrins, Muslims, Serbs, etc. In censuses conducted by the Statistical Office of the Republic of Slovenia, Yugoslavs are shown as ‘ethnically undeclared’ and ‘regionally declared’. At the last census, the subcategory of ‘Bosnians’ was added to the category of ‘regionally declared’.

The official language is Slovene; Hungarian and Italian are also official languages in the respective ethnically mixed areas.

2. Upon depositing the instrument of ratification of the European Charter for Regional or Minority Languages (hereinafter: the Charter), the Republic of Slovenia informed the Secretary General of the Council of Europe that in the sense of the Charter, the Italian and Hungarian languages were regional or minority languages in the territory of the Republic of Slovenia. In addition, Slovenia informed the Secretary General that the provisions of Article 7, Paragraphs 1 to 4 would apply *mutatis mutandis* to the Romani language.

The area settled by the Italian-speaking community comprises ethnically mixed parts of settlements (the settlements are defined in municipal statutes) in three coastal municipalities:

- **Koper/Capodistria** (Article 7: “*Slovene and Italian are official languages in the ethnically mixed area of the Municipality where the members of the autochthonous Italian national community reside, which comprises the settlements of Ankaran/Ancarano, Barizoni/Barisoni, Bertoki/Bertocchi, Bošamarin/Bossamarino, Cerej/Cerei, Hrvatini/Crevatini, Kappel/Campel, Kolomban/Colombano, Koper/Capodistria, Prade, Premančan/Premanzano, a part of the settlement of Spodnje Škofije (Valmarin), Šalara/Salara and Škocjan/San Canziano.*”¹)
- **Izola/Isola** (Article 4, paragraph 3: “*The Slovene and Italian languages have equal status in public and social life in the ethnically mixed area (bilingual area) which comprises the Town of Izola/Isola and the settlements Dobrava pri Izoli, Jagodje, Livada and Polje pri Izoli.*”²)
- **Piran/Pirano** (Article 3: “*The Italian language has equal status to the Slovene language in public life in the ethnically mixed area of the Municipality where members of the Italian national community reside, which comprises the settlements of Piran/Pirano, Portorož/Portorose, Lucija/Lucia, Strunjan/Strugnano, Seča/Sezza, Sečovlje/Sicciole, Parecag/Parezzago and Dragonja (bilingual area).*”³)

The Hungarian-speaking community resides in five municipalities in Prekmurje, i.e. the eastern part of Slovenia along the Hungarian border:

- **Hodoš/Hodos** (Article 1: “*The Municipality of Hodoš is a self-governing local community established by law in the territory of the*

¹ Statute of the Koper Municipality (*Primorske novice, Uradne objave* Nos. 40/2000, 30/2001 and 29/2003; Ur. l. RS Nos. 90/2005, 67/2006 and 39/2008)

² Statute of the Izola Municipality (*Primorske novice, Uradne objave* No. 15/1999)

³ Statute of the Piran Municipality (*Primorske novice, Uradne objave* Nos. 10/1999, 15/2004 and 46/2007)

ethnically mixed settlements, where the members of the Hungarian national community reside: Hodoš/Hodos, Krplivnik/Kapornak.”⁴)

- **Šalovci** (Article 2: “*A part of the area of the Municipality where the members of the Hungarian national community reside is ethnically mixed. The ethnically mixed area of the Municipality comprises the settlement of Domanjševci/Domonkosfa.”⁵)*
- **Moravske Toplice** (Article 1, paragraph 2: “*Members of the Hungarian national community reside in the settlements of Čikečka vas/Csekefa, Motvarjevci/Szentlászló, Pordašinci/Kisfalu, Prosenjakovci/Pártosfalva and Središče/Szerdahely.”⁶)*
- **Dobrovnik/Dobronak** (Article 2: “*A part of the area of the Municipality where the members of the Hungarian national community reside is ethnically mixed. The ethnically mixed area comprises the settlements of Dobrovnik/Dobronak and Žitkovci/Zsitkóc.”⁷)*
- **Lendava/Lendva** (Article 1: “*The Municipality of Lendava is a self-governing local community, established by law in the territory of the following settlements: Banuta/Bánuta, Benica, Čentiba/Csente, Dolga vas/Hosszúfalu, Dolgovaške gorice/Hosszúfaluhegy, Dolina pri Lendavi/Völgyifalu, Dolnji Lakoš/Alsólakos, Gaberje/Gyertyános, Genterovci/Göntérháza, Gornji Lakoš/Felsőlakos, Hotiza, Kamovci/Kámaháza, Kapca/Kapca, Kot/Kót, Lendava/Lendva, Lendavske gorice/Lendvahegy, Mostje/Hidvég, Petišovci/Petesháza, Pince/Pince, Pince Marof/Pince major, Radmožanci/Radamos, Trimlini/Hármasmalom and Brezovec - del. The ethnically mixed area of the Municipality where members of the Hungarian national community also live comprises the above-named settlements, except for the settlements of Benica, Hotiza and Brezovec - del.”⁸)*

3. In the 2002 census, 2,258 persons declared themselves to be of Italian nationality, and 3,762 declared Italian their mother tongue; the latter are covered by the Convention, the implementation of which is the subject of the Third Report. 6,243 persons declared themselves to be of Hungarian nationality, and 7,713 persons declared Hungarian to be their mother tongue. In comparison: In the 1991 census, 2,959 persons declared themselves to be of Italian nationality and 3,882 persons declared Italian their mother tongue; 8,000 persons declared themselves to be of Hungarian nationality, and 8,720 persons declared Hungarian to be their mother tongue.

The method of collecting data on national affiliation used in the 2002 census was different from the method used in the 1991 census. According to the provisions of Article 10 of the Act Regulating the Census of Population, Households and Housings in the Republic of Slovenia (Ur. l. RS Nos. 66/2000 and 26/2001), all people aged 14 and over had to declare their ethnic affiliation and religion THEMSELVES. For children under 14 years, parents, adoptive parents or guardians could answer this question.

⁴ Statute of the Hodoš Municipality (Ur. l. RS No. 136/2006)

⁵ Statute of the Šalovci Municipality (Ur. l. RS No. 38/2006)

⁶ Statute of the Moravske Toplice Municipality (Ur. l. RS No. 11/1999)

⁷ Statute of the Dobrovnik Municipality (Ur. l. RS No. 35/2007)

⁸ Statute of the Lendava Municipality (Ur. l. RS Nos. 26/1999, 119/2000 and 69/2002)

In comparison: In the 1991 census, parents and other legal representatives (guardians, adoptive parents) provided answers on the national affiliation of children under 15 years of age. In past censuses (for instance in the 1991 census), an adult member of the household could provide the answer on the ethnic affiliation of persons who were absent at the time of the interviewer's visit.

In the 1991 and 2002 censuses, it was obligatory to answer questions on mother tongue and usually spoken language.

Data on the national/ethnic affiliation of household members who were at least 14 years of age on the census reference date (31 March 2002) but were absent at the time of the interview or the interviewer's visit or did not want to state their ethnic/national affiliation and religion in the presence of other household members or the interviewer, was collected with the Statement on the Nationality/Ethnicity and Religion (P-3/NV questionnaire), which the interviewer left in the household together with an envelope. Every person could thus fill in the Statement on the Nationality/Ethnicity and Religion by him/herself and send it by mail to the Statistical Office of the Republic of Slovenia. It was not obligatory to send the statement. Data was taken only from those Statements on the Nationality/Ethnicity and Religion that were signed.

As stated above, answers were gathered only directly from persons over 14 years (hence, at the last census, a method was employed by which persons over 14 years of age could answer the question on nationality/ethnicity and religion only by themselves, if they wished to answer it). Consequently, all persons that were absent from the household at the time of the interview or did not want to answer the question in the presence of other household members or the interviewer received a special questionnaire and an envelope with prepaid postage. Around 250,000 questionnaires were distributed, and around 75 per cent or approx. 188,000 were returned and processed. Many questionnaires were not returned to the Statistical Office, which automatically meant that the persons concerned were processed in all tables under the 'unknown' category.⁹

In contrast to the census conducted in 1991, the 2002 census did not include expatriates, persons with permanent residence in Slovenia but living abroad for more than three months.

When comparing data on nationality collected in 1991 and 2002, it should be noted that in 1991, 42,355 persons were included under the categories 'did not want to reply' and 'unknown', while 174,913 fell under these categories in 2002. One of the possible explanations is that the two categories include many persons from mixed marriages. A drastic increase is thus noticeable in the number of those not wanting to reply to the answer on national affiliation or those falling within the 'unknown' category¹⁰.

⁹ Analysis of the status and the exercising of the special rights of the Italian and Hungarian national communities in the Republic of Slovenia in the light of the implementation of statutory provisions, implementing regulations and other regulations and the definition of possible measures for their maintenance, support and further development (Decision of the Government of the Republic of Slovenia No. 018-02/2001-2 of 29 July 2004)

¹⁰ Rapid Reports No. 93/2003, Statistical Office of the Republic of Slovenia

The problem of a decrease, albeit only statistical, in the number of members of the Italian and Hungarian national communities and thus also speakers of the two minority languages in the Republic of Slovenia, and the use of mother tongues by national minorities recorded in the last census was addressed by the following bodies: the working table on minority issues, active within the Mixed Commission of the Republic of Slovenia and the Friuli-Venezia Giulia Autonomous Region dealing with joint development issues; and the Commission responsible for monitoring the implementation of the Agreement on Guaranteeing Special Rights to the Slovene Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia.

This issue was also addressed by the Commission of the National Assembly for the National Communities, the Government Commission for the National Communities, the Government Office for National Minorities and the Statistical Office of the Republic of Slovenia.

The analysis conducted by the Statistical Office of the Republic of Slovenia indicates that the potential causes of the statistical decrease in the number of members of the Italian and Hungarian national communities in the Republic of Slovenia are mostly of statistical, demographic and sociological character:

- decreased birth rate,
- ageing of the population,
- mixed marriages,
- new methodology (obligation that children over 14 years of age declare their nationality by themselves), and
- the fact that the present members of a household could not declare nationality of other members.

It can furthermore be concluded that the number of Italians and Hungarians decreased (statistically – voluntary declaration of nationality) mostly because of the changed declarations of nationality, refusals to declare one's nationality and generation change. At the last census, greater emphasis was placed on the voluntariness of the declaration of national affiliation (this declaration was also voluntary in the previous census, which, however, was not so emphasised). Another new element in the methodology was the fact that the 2002 census for the first time did not include expatriates (who have permanent residence in the ethnically mixed area of the Republic of Slovenia, but live, work or study in Italy or Hungary).

The analysis of the Government of the Republic of Slovenia, adopted on 29 July 2004, also shows a noticeable trend of decreased importance of ethnic or linguistic identification in Slovenia, as is also the case in Europe at large.

This is also confirmed by a drastic decrease in the number of persons declaring themselves to be ethnic Slovenians in the 2002 census; the number decreased by 58,294 persons, which is so far the greatest, totally unexpected and hardly understandable decrease.

In the same period, a sharp decrease was also recorded in the number of members of the Slovenian minority in Austria (Carinthia) and Slovenians in Croatia; the neighbouring Croatia also recorded a considerable decrease in the number of

Italians (by 1,667 persons) and Hungarians (by 5,760 persons).¹¹ The situation is almost identical with regard to the decrease in the number of members of the Slovenian minority in Italy. All this, of course, is also reflected in the use of a specific minority language as a mother tongue.

Contrary to the raw statistical data on the number of members of the Italian and Hungarian national communities in the Republic of Slovenia and the number of persons speaking the two respective languages as their mother tongue, which were obtained from voluntary declarations, the Government analysis adopted on 29 July 2004 shows that the actual number of members of the Italian national community in ethnically mixed areas has, in fact, even increased considerably (to 2,970 persons). Together with members of the Italian national community who live outside the ethnically mixed area (418 persons), there are 3,388 members of the Italian national community living in Slovenia, which is by 14.50 per cent more than recorded in the 1991 census (2,959 persons).

It is similar with the Hungarian national community: there are 7,297 members of the Hungarian national community living in the ethnically mixed area. Together with those members who live outside the ethnically mixed area (1,031 persons), there are 8,328 members of the Hungarian national community, which is by 4.10 per cent more than in 1991 (8,000 persons).

By analogy and on the basis of statistical data it can be established that the number of persons using or declaring the Italian or Hungarian language as their mother tongue is even somewhat higher than stated.

The above statements are confirmed by data from the electoral register at the parliamentary elections in the Republic of Slovenia on 3 October 2004. Data provided by the National Electoral Commission¹² shows that 2,767 members of the Italian national community and 6,610 members of the Hungarian national community were registered in the special electoral register of the national communities in the Republic of Slovenia. The official data collected by the National Electoral Commission on the parliamentary elections in the Republic of Slovenia on 21 September 2008 shows that 2,739 voters were entered in the special electoral register of the citizens of the Republic of Slovenia – members of the Italian national community, and 7,063 voters in the special electoral register of the citizens of the Republic of Slovenia – members of the Hungarian national community.¹³ The data, of course, refers only to persons aged 18 or more. If members of the Italian and Hungarian national communities or Italian or Hungarian native speakers who are younger than 18 are added to the above number of persons registered for parliamentary elections, a very optimistic picture is revealed for the Italian and Hungarian national communities and native speakers of the two respective languages. This proves that the special protection of the two minority languages has yielded significant positive results.

¹¹ Analysis of the status and the exercising of the special rights of the Italian and Hungarian national communities in the Republic of Slovenia in the light of the implementation of statutory provisions, implementing regulations and other regulations and the definition of possible measures for their maintenance, support and further development (Decision of the Government of the Republic of Slovenia No. 018-02/2001-2 of 29 July 2004)

¹² Announcement No. 10-2/00-11/04 of 1 September 2004 of the National Electoral Commission (constituencies 9 and 10)

¹³ Website of the National Electoral Commission (official results of the elections of the national communities: http://volitve.gov.si/dz2008/en/rezultati/izidi_skupnosti.html)

It may be concluded that the number of members of the two national communities is higher, when their interests are directly involved (elections of councillors, deputy mayors, elections to the National Assembly, etc.) than in the matters of no specific interest to them. Certain sociological reasons are involved here, on which research should be conducted separately in the two national communities.

The two national communities in Slovenia have so far expressed no dissatisfaction or other well-founded reservations showing that any of them feels discriminated against or that there are other reasons for them to be concerned over their participation in a census. There were no complaints about any pressure by the state.

The two national communities and other ethnic communities and groups in Slovenia enjoy a favourable general social climate, which is also demonstrated by the increase in the number of persons declaring themselves Germans (67.45 per cent increase) and Austrians (43.65 per cent increase) or members of the Roma community (43.69 per cent increase) at the 1991 and 2002 censuses; nevertheless, the latter are often stigmatised in many local areas.

Tolerance and signs of the European model of co-existence, at least with regard to the autochthonous national communities, are also demonstrated by other facts: in the ethnically mixed area in Prekmurje, the majority population is voluntarily and without major opposition educated in bilingual education institutions, and in the coastal area, two members of the Italian national community were elected as deputies at the 2004 elections to the National Assembly, mostly by the votes of the majority population.

It is the role and the task of the state to provide favourable living conditions for members of the national communities, thus making them feel free to express their national affiliation and enabling them to fully exercise their special rights defined in the Constitution of the Republic of Slovenia. The state must therefore ensure, with all measures possible, that all laws and other regulations are implemented in practice, thus fostering a favourable atmosphere.

4. The Republic of Slovenia has not specially defined non-territorial languages.
5. The protection and development of regional or minority languages in Slovenia can be divided into several segments. The starting point of the protection of these languages has been defined by the Republic of Slovenia in Chapter III of the Basic Constitutional Charter on the Sovereignty and Independence of the Republic of Slovenia¹⁴ to the Constitution of the Republic of Slovenia, which stipulates: “The Italian and Hungarian national communities in the Republic of Slovenia and their members shall be guaranteed all the rights provided for in the Constitution of the Republic of Slovenia and international agreements.” The status and special rights of the autochthonous Italian and Hungarian national communities in Slovenia are thus defined in Article 64 of the Constitution of the Republic of Slovenia, the basic legal act of the state.

¹⁴ Ur. l. RS No. 1-4/91-I, 25 July 1991

Article 64 of the Constitution of the Republic of Slovenia¹⁵ stipulates:

- “The autochthonous Italian and Hungarian national communities and their members shall be guaranteed the right to use their national symbols freely”;
- “In order to preserve their national identity, they shall have the right to establish organisations, to develop economic, cultural, scientific and research activities, as well as activities in the field of media and publishing”;
- “In accordance with laws, these two national communities and their members have the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling” (the geographic areas in which bilingual schools are compulsory shall be established by law);
- “These national communities and their members shall be guaranteed the right to foster relations with their nations of origin and their respective countries” (Slovenia shall provide material and moral support for the exercise of these rights);
- “In order to exercise their rights, the members of these communities shall establish their own self-governing communities in the geographic areas where they live” (‘on the proposal of these self-governing national communities, the state may authorise them to perform certain functions under national jurisdiction, and shall provide funds for the performing of such functions”);
- “The two national communities shall be directly represented in representative bodies of local self-government and in the National Assembly” (Article 80, paragraph 3 of the Constitution of the Republic of Slovenia stipulates that one deputy of each national community shall always be elected to the National Assembly; contrary to other deputies, who are elected according to the principle of proportional representation, the representatives of the national communities are elected according to the majority principle);
- “The status of the Italian and Hungarian national communities and the manner in which their rights are exercised in the geographic areas where they live, the obligations of the self-governing local communities for the exercise of these rights, and those rights which the members of these national communities also exercise outside these areas, shall all be regulated by law”;
- “The rights of the national communities are guaranteed regardless of the number of members of these communities”;
- The Constitution of the Republic of Slovenia stipulates in Article 64, paragraph 5 that “Laws, regulations and other general acts that concern the exercise of the constitutionally provided rights and the status of the national communities exclusively, may not be adopted without the consent of representatives of these national communities.”; based on the constitutional provision, Article 15, paragraph 2 of the Law on Self-governing National Communities (Ur. l. RS No. 65/1994) further stipulates as follows: ‘In matters related to the status of members of national communities, state authorities must acquire the prior opinion of the self-governing national communities.’”

Article 11 of the Constitution of the Republic of Slovenia contains important provisions concerning the exercise of the rights of the Italian and Hungarian national communities: “The official language in Slovenia is Slovene. In those

¹⁵ Constitution of the Republic of Slovenia (Ur. l. RS No. 33/1991 ... 68/2006)

municipalities where Italian or Hungarian national communities reside, Italian or Hungarian shall also be official languages.”; furthermore, Articles 61 and 62 of the Constitution of the Republic of Slovenia guarantee to all citizens of the Republic of Slovenia the right to freely express affiliation with their nations or national communities, to foster and give expression to their culture and to use their language and script.

The organisation and the fundamental rights of the Italian and Hungarian national communities in the Republic of Slovenia are defined in the Self-governing Ethnic Communities Act (Ur. l. RS No. 65/1994), its Article 1 stipulating as follows: “For the implementation of special rights, guaranteed by the Constitution of the Republic of Slovenia, for the promotion of their needs and interests, and for organised participation in public matters, members of the Italian and Hungarian national communities establish, in regions of their autochthonous settlement, self-governing national communities.” This gives further operational basis for implementing the constitutional rights of the Italian and Hungarian national communities.

Members of the Italian and Hungarian national communities are also guaranteed certain rights that apply outside ethnically mixed areas (e.g. entry into a special electoral register for the election of a deputy to the National Assembly of the Republic of Slovenia, the right to learn one’s native language outside the ethnically mixed area under certain conditions).

Members of the Italian and Hungarian national communities are also represented in the Programme Board of RTV Slovenia, with one representative for each of the two communities. In addition, the Programme Board of RTV Slovenia also appoints programme committees for the Italian and Hungarian national community programmes in which two thirds of the members belong to the two national communities.

The Secretary General of the Government of the Republic of Slovenia issued instruction No. 023-12/2001 of 3 March 2003 and instruction No. 02300-17/2005/12 of 8 June 2007 on the participation of the national communities in decision-making concerning the status of their members, appealing to all state authorities (government, ministries, etc.) to consistently observe the provisions of the rules of procedure and the relevant laws.

In chapter 11 of the Coalition Agreement, signed on 23 November 2004, the then coalition committed itself to dealing with issues of the Italian and Hungarian national communities by consistently implementing the independence documents, the Constitution of the Republic of Slovenia and international obligations binding on Slovenia (international agreements and ratified international instruments).

The coalition stressed that the level of financing special rights of the national communities represented a starting point for their further development.

The coalition undertook to take measures against assimilation in all fields of vital importance for the existence and development of both national communities; it pledged to promote economic and infrastructural development of ethnically mixed areas, emphasising particularly the creation of new jobs and economic bases for the two national communities.

Special attention was devoted to the strengthening of institutions, languages and cultures of the two national communities. The coalition undertook to create a favourable social atmosphere to implement policies relating to the Italian and Hungarian national communities.

Furthermore, it committed itself to drafting a resolution on the Italian and Hungarian national communities.

On 22 June 2006, the Government of the Republic of Slovenia adopted a decision establishing a working group responsible for the drafting of a resolution on the Italian and Hungarian national communities in the Republic of Slovenia; the working group drafted the Resolution on the Status of the Italian and Hungarian National Communities.

The draft resolution, later further amended by the working group, was discussed by the Government Commission for the National Communities at its second session on 1 June 2007. The draft resolution has also been harmonised with both umbrella organisations of the national communities, i.e. the Coastal Italian Self-governing Community and the Pomurje Hungarian Self-governing National Community.

At its 131st session on 19 July 2007, the Government of the Republic of Slovenia agreed the text of the Resolution on the Status of the Italian and Hungarian National Communities in the Republic of Slovenia, and submitted it to the National Assembly for consideration.

The objectives of the Resolution are as follows:

- To ensure the transparency of the work of state authorities which have contact with the two national communities;
- To ensure the consistent implementation of the special rights of the national communities in Slovenia under the Constitution;
- To present an overview of the existing mechanisms that enable the exercise of the special rights of the national communities and their implementation;
- To assess the importance of the national communities' contribution to the cultural diversity in the territory of the Republic of Slovenia;
- To enhance cooperation between the national communities and the state, aiming at the effective drawing of financial resources from EU funds;
- To strive for a successful integration of the national communities into the Slovenian society, with due regard for the preservation of their special features;
- To foster intercultural dialogue in the areas in which members of the national communities live and work;
- To propose, in the process of establishing regions as the second level of local self-government, that the national communities be represented in the regional representative body;
- To establish a partner relationship between the state, local communities, and the national communities in order to implement priority projects.

The Coalition Agreement on Cooperation in the Government of the Republic of Slovenia for the term of office 2008–2012 – part of the chapter on democracy and active citizenship – also touches on the protection of the status of the

autochthonous Italian and Hungarian national communities and their members in a spirit of intercultural co-existence.

The coalition partners pledge “to consistently respect and implement the rights of the Italian and Hungarian national communities under the Constitution and sector-specific laws. If the national communities’ deputies assess that an umbrella law and/or other legislative solution is required for a more appropriate protection and implementation of the national communities’ rights, the Government will contribute to the drafting and negotiation of such a law or legislative solution and support it in the parliamentary procedure on the proposal of the two deputies.”

The coalition partners also undertake “to plan the budget based on the level of financing already ensured and in close cooperation with the national communities’ deputies; if possible, the deputies’ expectations about the funds for the activities and development of both national communities and their institutions will be taken into account.

If the two deputies express the belief that specific issues concern the interests of the national communities that they represent, the Prime Minister will undertake to find concrete solutions in direct dialogue with the two deputies and, if necessary, the competent ministers or other authorities.

In order to fulfil these pledges, the coalition partners undertake to draw up, within six months after the election of the Government and in cooperation with the two deputies, a detailed list of issues that need to be settled with regard to the formulation and implementation of policies relating to the national communities in a spirit of intercultural co-existence; for this purpose, an appropriate timetable will be established.”

In addition to the provisions of the Constitution of the Republic of Slovenia and the Self-governing Ethnic Communities Act, the status of the national communities is defined in over 90 sector-specific laws and other regulations, ordinances and statutes of municipalities in ethnically mixed areas, other legal acts, bilateral treaties or agreements, and international conventions ratified by the Republic of Slovenia.

The most important are the Framework Convention of the Council of Europe for the Protection of National Minorities and the European Charter for Regional or Minority Languages. The 1977 Treaty of Osimo, a bilateral agreement between the former Socialist Federal Republic of Yugoslavia and the Italian Republic, is relevant to the Italian national community. When Slovenia gained independence in 1991, it made a commitment to continue to adhere to these agreements. The Treaty of Osimo also includes the essential provisions of the Special Statute annexed to the Memorandum of Understanding of 1954.

The Agreement on Guaranteeing Special Rights to the Slovene Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia (ratified in 1993) is a bilateral agreement, important to both the Hungarian national community living in Slovenia and the Slovenian minority living in Hungary.

Slovenia signed the European Charter for Regional or Minority Languages on 3 July 1997 and ratified it on 19 July 2000. The Charter was published in the Official Gazette of the Republic of Slovenia on 4 August 2000. When depositing

the instrument of ratification on 4 October 2000, Slovenia stated that the adopted provisions would start to apply to Slovenia as of 1 January 2001.

PART I

1. Legislation relating to the implementation of the European Charter for Regional or Minority Languages:

Self-governing Ethnic Communities Act

(Ur. l. RS No. 65/1994)

Act Ratifying the Agreement on Guaranteeing Special Rights to the Slovene Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia

(Ur. l. RS-MP No. 6/1993 (RS No. 23/1993))

Media Act

(Ur. l. RS No. 35/2001, ..., 36/2008)

Radiotelevizija Slovenija Act

(Ur. l. RS No. 96/2005, ..., 105/2006)

Statute of the Public Institution Radio Television Slovenia

(Ur. l. RS No. 106/2006)

Gimnazije Act

(Ur. l. RS No. 12/1996, ..., 1/2007)

Matura Examination Act

(Ur. l. RS No. 15/2003, 115/2006 and 1/2007)

Organization and Financing of Education Act

(Ur. l. RS No. 12/1996, ..., 36/2008)

Elementary School Act

(Ur. l. RS No. 12/1996, ..., 102/2007)

Vocational Education Act

(Ur. l. RS No. 12/1996, ..., 79/2006)

Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education

(Ur. l. RS Nos. 35/2001 and 102/2007)

Pre-school Institutions Act

(Ur. l. RS No. 12/1996, ..., 25/2008)

University of Primorska Charter

(Ur. l. RS No. 13/2003, ..., 67/2008)

Fund for Amateur Cultural Activities of the Republic of Slovenia Act

(Ur. l. RS No. 1/1996, ..., 56/2008)

Exercising of the Public Interest in Culture Act

(Ur. l. RS No. 96/2002, ..., 56/2008)

Cultural Heritage Protection Act

(Ur. l. RS No. 16/2008)

Librarianship Act

(Ur. l. RS Nos. 87/2001 and 96/2002)

Rules on conditions for providing library services as a public service

(Ur. l. RS 73/2003, 70/2008)

State Prosecutor's Office Act

(Ur. l. RS No. 63/1994, ..., 94/2007)
Courts Act
(Ur. l. RS No. 19/1994, ..., 45/2008)
Court Rules
(Ur. l. RS No. 17/1995, ..., 16/2008)
Criminal Procedure Act
(Ur. l. RS No. 63/1994, ..., 68/2008)
Criminal Code of the Republic of Slovenia
(Ur. l. RS No. 55/2008 (66/2008 amended))
Public Administration Act
(Ur. l. RS No. 52/2002, ..., 126/2007)
Police Act
(Ur. l. RS No. 49/1998, ..., 14/2007)
Births, Deaths and Marriages Registry Act
(Ur. l. RS No. 37/2003, 39/2006 and 59/2006)
Notary Act
(Ur. l. RS No. 13/1994, ..., 45/2008)
Personal Name Act
(Ur. l. SRS No. 16/1974, ..., 20/2006)
Identity Card Act
(Ur. l. RS No. 75/1997, ..., 44/2008)
Travel Documents of the Citizens of the Republic of Slovenia Act
(Ur. l. RS No. 65/2000, ..., 44/2008)
General Administrative Procedure Act
(Ur. l. RS No. 80/1999, ..., 65/2008)
Decree on Keeping and Maintaining of the Central Register of Population and on
the Procedures of Data Flow from the Central Register of Population
(Ur. l. RS Nos. 70/2000 and 28/2002)
Act Designating Areas and Naming and Marking Settlements, Streets and
Buildings
(Ur. l. RS No. 25/2008)
Consumer Protection Act
(Ur. l. RS No. 20/1998, ..., 126/2007)
Institutes Act
(Ur. l. RS No. 12/1991, ..., 127/2006)
Public Use of the Slovene Language Act
(Ur. l. RS No. 86/2004)
Civil Servants Act
(Ur. l. RS Nos. 63/2007 and 65/2008)
Salary System in the Public Sector Act
(Ur. l. RS No. 95/2007, ..., 80/2008)
Local Self-government Act
(Ur. l. RS No. 72/1993, ..., 100/2008)
Rules defining the field of education of teachers in nine-year bilingual elementary
schools and nine-year elementary schools with Italian as teaching language
(Ur. l. RS No. 35/2006)
Rules on testing the knowledge of the teaching language in ethnically mixed areas
(Ur. l. RS No. 100/2006)

Rules amending the Rules on norms and standards for the implementation of the elementary school programme in bilingual elementary schools and elementary schools with Italian as the language of instruction
(Ur. l. RS No. 73/2008)

Rules amending the Rules on the norms and standards in bilingual secondary school
(Ur. l. RS No. 67/2008)

Rules amending the Rules on the norms and standards in secondary schools with Italian teaching language
(Ur. l. RS No. 67/2008)

Establishment of Municipalities and Municipal Boundaries Act
(Ur. l. RS No. 60/1994, ..., 108/2006)

Promotion of Balanced Regional Development Act
(Ur. l. RS Nos. 93/2005 and 127/2006)

The Societies Act
(Ur. l. RS No. 60/1995, ..., 61/2006)

Financing of Municipalities Act
(Ur. l. RS Nos. 123/2006 and 57/2008)

State Legal Exam Act
(Ur. l. RS No. 13/1994, ..., 111/2007)

The Roma Community Act
(Ur. l. RS No. 33/2007)

School Inspection Act
(Ur. l. RS Nos. 29/1996, 91/2005 and 114/2005)

Civil Procedure Act
(Ur. l. RS Nos. 26/1999, ..., 111/2008)

1 the 2002 Census of Population, Households and Housings in the Republic of Slovenia
(Ur. l. RS Nos. 66/2000, 26/2001 and 22/2002)

Companies Act
(Ur. l. RS No. 42/2006, ..., 68/2008)

Decree on Administrative Operations
(Ur. l. RS No. 20/2005, ..., 31/2008)

Decree on Displaying the Flag of the Republic of Slovenia on Educational Institutions
(Ur. l. RS No. 47/2008)

Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities
(Ur. l. RS No. 78/2008)

Rules on in-service training of educational professionals
(Ur. l. RS No. 64/2004)

Instruction on the manner of organising public events in which foreign languages are used too
(Ur. l. RS No. 93/2005)

Decision determining the total number of trainee posts at individual courts for judicial trainees
(Ur. l. RS No. 25/2008)

Resolution on National Programme for Language Policy 2007–2011
(Ur. l. RS No. 43/2007)

National Cultural Programme 2004–2007
(Ur. l. RS No. 28/2004)

National Cultural Programme 2008–2011
(Ur. l. RS No. 35/2008)

Rules of Procedure of the National Assembly
(Ur. l. RS No. 40/1993, ..., 60/2002)

Act Ratifying the Agreement on Cooperation in the Fields of Culture, Education and Science between the Republic of Slovenia and the Republic of Hungary
(Ur. l. RS-MP No. 6/1993)

Act Ratifying the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Hungary on Mutual Recognition of School Certificates and Degrees
(Ur. l. RS No. 44/2000)

Act Ratifying the Agreement between the Government of the Republic of Slovenia and the Council of Ministers of Bosnia and Herzegovina on Cooperation in the Fields of Culture, Education and Science
(Ur. l. RS No. 69/2000)

Act Ratifying the Agreement on Cooperation in Education, Culture, and Science between the Government of the Republic of Slovenia and the Government of the Republic of Macedonia
(Ur. l. RS No. 25/1997)

Act Ratifying the Agreement on Cooperation in Culture and Education between the Government of the Republic of Slovenia and the Government of the Republic of Croatia
(Ur. l. RS No. 51/1994)

Act Ratifying the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Albania on Cooperation in the Fields of Education, Culture and Science
(Ur. l. RS No. 36/1994)

Act Ratifying the Agreement between the Government of the Republic of Slovenia and the Federal Government of the Federal Republic of Yugoslavia on Cooperation in the Fields of Culture and Education
(Ur. l. RS No. 47/2002)

Act Ratifying the Agreement between the Government of the Republic of Austria and the Government of the Republic of Slovenia on Cooperation in the Fields of Culture, Education and Science
(Ur. l. RS No. 5/2002)

Act Ratifying the Agreement on Cooperation in Culture between the Government of the Republic of Slovenia and the Government of the Federal Republic of Germany
(Ur. l. RS-MP No. 9/1994)

Local Elections Act
(Ur. l. RS No. 12/1993, ..., 45/2008)

General Practitioner Services Act
(Ur. l. RS No. 98/1999, ..., 58/2008)

Health Services Act
(Ur. l. RS No. 9/1992, ..., 77/2008)

Act Regulating the Pursuing of Health Professions in the Republic of Slovenia by Citizens of Other EU Member States
(Ur. l. RS Nos. 86/2002 and 2/2004)

Patients Rights Act
(Ur. l. RS, št 15/2008)
Rules regulating the advertising of medicinal products
(Ur. l. RS No. 105/2008)

2. In compliance with the established model of the protection of national communities, it is particularly the state and local authorities that are responsible for the protection, promotion and development of minority languages. Special mention in this regard should be made of the Ministry of Foreign Affairs of the Republic of Slovenia, the Government Office for National Minorities, and Self-governing National Communities, which are the political bodies of the national minorities. Contact details of the said institutions:

OFFICE OF THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA FOR
NATIONAL MINORITIES

Erjavčeva 15
SI-1000 Ljubljana
Phone: +386 1 478 13 65; fax: +386 1 478 13 66
Director: Stane Baluh, MA
E-mail: stane.baluh@gov.si

MINISTRY OF FOREIGN AFFAIRS

Prešernova cesta 25, P.P. 481
SI-1000 Ljubljana
Phone: +386 1 478 2000; fax: +386 1 478 23 40, 386 1 478 2341
Minister: Samuel Žbogar
E-mail: info.mzz@gov.si

POMURJE HUNGARIAN SELF-GOVERNING NATIONAL COMMUNITY
MURAVIDÉKI MAGYAR ÖNKORMÁNYZATI NEMZETI KÖZÖSSÉG

Glavna ulica 124 / Fő utca 124.
SI-9220 Lendava / Lendva
Phone: +386 2 575 1449; fax: +386 2 575 1419
Chairman: Jožef Kocon
E-mail: pmsns@muravidek.si

COASTAL ITALIAN SELF-GOVERNING COMMUNITY
COMUNITÀ AUTOGESTITA COSTIERA DELLA NAZIONALITÀ
ITALIANA

Župančičeva 39 / via Župančič 39
SI-6000 Koper / Capodistria
Phone: +386 5 627 9150; fax: +386 5 627 4091
Chairman: Flavio Forlani
E-mail: cna_costiera@siol.net

COUNCIL OF THE ROMA COMMUNITY OF THE REPUBLIC OF
SLOVENIA

Lendavska 16/a
SI-9000 Murska Sobota
Phone/fax: +386 2 526 1304

Chairman: Jožek Horvat Muc
E-mail: rskupnost@tmail.si

MINISTRY OF CULTURE

Maistrova ulica 10
SI-1000 Ljubljana
Phone: +386 1 369 59 00; fax: +386 1 369 59 01
Minister: Majda Širca
E-mail: gp.mk@gov.si

MINISTRY OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY

Kotnikova 38
SI-1000 Ljubljana
Phone: +386 1 478 46 00; fax: +386 1 478 47 19
Minister: Gregor Golobič
E-mail: gp.mvzt@gov.si

MINISTRY OF EDUCATION AND SPORT

Masarykova cesta 16
SI-1000 Ljubljana
Phone: +386 1 400 5400; fax: +386 1 400 5329
Minister: Prof. Dr Igor Lukšič
E-mail: gp.mss@gov.si

MINISTRY OF THE INTERIOR

Štefanova ulica 2
SI-1501 Ljubljana
Minister: Katarina Kresal
Phone: +386 1 428 40 00; fax: +386 1 251 43 30
E-mail: gp.mnz@gov.si

MINISTRY OF PUBLIC ADMINISTRATION

Tržaška cesta 21
SI-1000 Ljubljana
Minister: Irma Pavlinič Krebs
Phone: +386 1 478 8330; fax: +386 1 478 8331
E-mail: gp.mju@gov.si

MINISTRY OF JUSTICE

Župančičeva 3
SI-1000 Ljubljana
Minister: Aleš Zalar
Phone: +386 1 369 52 00; fax: +386 1 369 57 83
E-mail: gp.mp@gov.si

INSTITUTE FOR ETHNIC STUDIES

Erjavčeva 26
SI-1000 Ljubljana
Phone: +386 1 200 18 70; fax: +386 1 251 09 64
Acting Director: Prof. Dr Miran Komac

E-mail: INV@inv.si

EDIT RIJEKA
Zvonimirova 20/a
HR-51000 Rijeka
Phone: +385 51 672-119; fax: +385 51 672-151
Director: Silvio Forza
E-mail: edit@edit.hr

INSTITUTE FOR CULTURE OF THE HUNGARIAN NATIONAL
COMMUNITY
MAGYAR NEMZETISÉGI MŰVELŐDÉSI INTÉZET
Glavna ulica / Fő utca 124
SI-9220 Lendava / Lendva
Phone: +386 2 577 66 60; fax: +386 2 577 66 68
Director: Kepe Lili
E-mail: magyar.lendva@siol.net

INSTITUTE FOR THE INFORMATION ACTIVITY OF THE HUNGARIAN
NATIONAL COMMUNITY
MAGYAR NEMZETISÉGI TÁJÉKOZTATÁSI INTÉZET
Glavna ulica / Fő utca 124
SI-9220 Lendava / Lendva
Phone: +386 2 577 61 80; fax: +386 2 577 61 91
Director: Horváth Ferenc
E-mail: nepujsag@siol.net

ITALIAN CENTRE FOR PROMOTION, CULTURE, EDUCATION AND
DEVELOPMENT CARLO COMBI – KOPER
CENTRO ITALIANO DI PROMOZIONE, CULTURA, FORMAZIONE E
SVILUPPO CARLO COMBI – CAPODISTRIA
Kettejeva ulica / Via D. Kette 1
6000 Koper Capodistria
Phone: +386 (0) 59 96 09 3; fax: +386 (0) 5 627 21 93
Representative: Tremul Maurizio
E-mail: mojca.centrocombi@siol.net

NATIONAL ASSEMBLY OF THE REPUBLIC OF SLOVENIA
Italian and Hungarian National Communities Deputy Group
Roberto Battelli, deputy of the Italian National Community
László Göncz, deputy of the Hungarian National Community
Šubičeva 4
SI-1000 Ljubljana
Phone: +386 478 94 00; fax: +386 478 98 45
E-mail: gp@dz-rs.si

3. The Government Commission for the National Communities is a consultative body monitoring the implementation of constitutional obligations and legal provisions of the Republic of Slovenia relating to the national communities. It

drafts proposals and initiatives for the protection of the national communities, aimed at obtaining the official position of the Government and individual ministries. The Commission, composed of representatives of ministries, government offices and the national communities, promotes the exchange of views between the representatives of the national communities and state authorities on issues concerning the status of the national communities.

An important contribution to the implementation of constitutional obligations and legal provisions of the Republic of Slovenia relating to the national communities is also made by the Commission of the National Assembly for the National Communities; its chair and deputy chair are always members of the national communities. The Commission addresses issues concerning the implementation of the national communities' rights and proposes measures.

The Government Office for National Minorities performs expert, organisational and administrative tasks for the Government Commission for the National Communities and attends sessions of the Commission of the National Assembly for the National Communities. The Government Office for National Minorities maintains regular contact with the national communities (e.g. on the occasion of the signing of annual contracts on the co-financing of constitutional and other rights of the national communities, it visits municipalities and meets with representatives of local communities (mayors) and chairmen of the municipal self-governing national communities). On such occasions, mayors and chairmen present the needs of the national communities which require to be addressed appropriately.

The Ministry of Culture of the Republic of Slovenia maintains regular contacts with representatives of other ethnic groups in the Republic of Slovenia.

In view of this, additional consultations in the process of drafting this Report were not necessary.

The Third Periodical Report was prepared in cooperation with the Government Office for National Minorities, the Ministry of Culture, the Ministry of Education and Sport, the Ministry of Justice, the Ministry of Labour, Family and Social Affairs, the Ministry of the Interior, the Ministry of Higher Education, Science and Technology, the Ministry of Public Administration, the Ministry of the Economy, the Ministry of Health, the Government Office for Local Self-Government and Regional Policy and the Ministry of Foreign Affairs. The Report is examined by the Interministerial Working Commission on Human Rights and adopted by the Government of the Republic of Slovenia; consequently, all ministries, government bodies and other relevant institutions are acquainted with it.

4. During the formulation of the first report and various additional clarifications to the Report of the Republic of Slovenia on the Implementation of the European Charter for Regional or Minority Languages, the Slovenian state authorities also apprised the Slovenian general public – the majority population and the national communities – of the Charter and the rights and obligations deriving from it. In the period between the two reports, the Institute for Ethnic Studies translated some of the key instruments of the Council of Europe (e.g. European Charter for Regional or Minority Languages, Framework Convention for the Protection of

National Minorities, Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms) into the Slovene, Hungarian, Italian, Croatian, German and Romani languages. The collected and translated documents are published in the publication *Slovenia and European Standards for the Protection of National Minorities*, which is also available on the website of the Information and Documentation Centre of the Council of Europe in the Republic of Slovenia (http://www.coe.si/sl/dokumenti_in_publicacije/).

The Second Periodical Report and the Report of the Committee of Experts on the Charter and the Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Slovenia, 2nd monitoring cycle, are available on the website of the Ministry of Foreign Affairs. In November 2005, the Information and Documentation Centre of the Council of Europe in Ljubljana published a collection of documents entitled *Application of the European Charter for Regional or Minority Languages in Slovenia*, which also contains the Second Periodical Report, and ensured that the collection was distributed to representatives of speakers of minority languages.

At its session on 26 April 2007, the National Assembly adopted the Act Amending the Act Ratifying the European Charter for Regional or Minority Languages, which was published in *Uradni list Republike Slovenije – MP* No. 7/2007 (Ur. l. RS No. 44/2007). The procedure for the amendment of the Act Ratifying the Charter was very long and complex; an organised and unified approach of all ministries was required at all stages of the procedure at the levels of the Government and the National Assembly; the objective of the procedure was of interest to all involved. In this regard it should be noted that both national communities were informed of the right or new choice of obligations arising from the provisions under Part III of the Charter, since the draft law amending the Act Ratifying the Charter was discussed by the Commission of the National Assembly for the National Communities at its 6th session on 17 October 2006 (the Chair and Deputy Chair of the Commission are always members of the national communities); the session was also attended by the umbrella organisations of the national communities (Pomurje Hungarian Self-governing National Community and Coastal Italian Self-governing Community).

5. The following parts of the Third Periodical Report of the Republic of Slovenia show to what extent the recommendations of the Committee of Experts have been taken into account.

Recommendations 1 and 2

The Republic of Slovenia welcomes dialogue with representatives of other ethnic groups aimed at creating conditions for cultural diversity as an expression of cultural wealth. On 6 June 2006, Dr Vasko Simoniti, former Minister of Culture, received the Coordination Committee of the ‘new minorities’; in April 2007, a meeting with the Committee was organised in the Office of the Prime Minister.

To find out more about the situation and status of members of the former Yugoslav nations in the Republic of Slovenia, in 2001 the Government Office for

National Minorities requested the Institute for Ethnic Studies to conduct a study entitled *The situation and status of members of the former Yugoslav nations in the Republic of Slovenia*. The study was published on the website of the Office: http://www.uvn.gov.si/fileadmin/uvn.gov.si/pageuploads/pdf_datoteke/Raziskava_Polozaj_in_status_pripadnikov_narodov_nekdanje_Jugoslavije_v_RS.pdf.

The authors of the study hold different positions on the treatment of the former Yugoslav nations in the Republic of Slovenia and the regulation of their situation and status. Their recommendations evolved in three directions:

- The issue should be further addressed in accordance with Articles 61 and 62 of the Constitution of the Republic of Slovenia;
- Act Regulating the Legal Status of Citizens of Former Yugoslavia Living in the Republic of Slovenia should be amended, and an appropriate resolution should be adopted by the National Assembly of the Republic of Slovenia;
- An amendment to the Constitution should be followed by the adoption of a relevant law that would equalise the status of members of the former Yugoslav nations as modern immigrants with the status of traditional national minorities that remained and/or formed in Slovenia as a consequence of changes in borders and the formation of new states.

Inter-disciplinary research conducted by the Faculty of Social Sciences (University of Ljubljana), the Institute for Ethnic Studies, and the Slovenian Academy of Sciences and Arts resulted in a study entitled *Perceptions of Slovenian Integration Policy*, which is published on the website of the Institute: <http://www.inv.si/>.

One of the questions that the authors of the study tried to answer was ‘do inhabitants of the villages Bojanci, Marindol, Miliči and Paunoviči in the Bela krajina region even want the status of an (autochthonous) national minority’. They discovered that the majority does not want a special minority status.

To acquire accurate information on the national/ethnic vitality of members of the Serbian, Croatian and German national communities in the area of their historical settlement, in 2008 the Government Office for National Minorities requested the Institute for Ethnic Studies to carry out a study entitled *National/ethnic vitality of members of the Serbian, Croatian and German national communities in the area of their historical settlement – Analysis of immigration to Slovenia from EU Member States* (Ugotavljanje narodne/etnične vitalnosti pripadnikov srbske, hrvaške in nemške narodne skupnosti na njihovem zgodovinskem poselitvenem ozemlju. Analiza imigracijskih procesov v Slovenijo iz držav EU).

The study is aimed at:

- Examining the status of inhabitants of the villages Bojanci, Marindol, Miliči and Paunoviči on the methods of preserving ethnic and cultural heritage of the *Uskok* territories; identifying objective indicators of ethnic vitality of the population on this territory, with a view to abolishing protective ‘discrimination’ between different minorities in Slovenia;
- Examining the status of villagers along the Slovenian-Croatian border, which is also included in the Report of the Committee of Experts of the Charter;
- Examining the status of inhabitants of historical German settlements (Baška grapa, Apaška kotlina, Kranjska Gora and its surrounding area, etc.).

With regard to the recommendation that the said regional and minority languages be regarded as an expression of cultural wealth (and that this does not necessarily result in the constitutional recognition of minority communities) it should be noted that in line with its policy, the Slovenian Government has paid attention to these languages through its support to linguistic projects responding to the call for applications of the Ministry of Culture. In this way it treats and recognises them as a contribution to cultural diversity and the wealth of Slovenia's cultural life. It is true, however, that areas where these languages are traditionally spoken are not officially identified. There are also no comprehensive expert guidelines for decision-making on these matters. Considering the fact that in 2005 the funds for the Ministry of Culture's special programme for minority communities, in which linguistic projects are given preference, increased by 100 per cent, progress has been made in creating financial conditions for linguistic diversity. In the Heritage Information and Documentation Centre, the collection of works in different languages supported by the Ministry of Culture has been increasing. They are also accessible through the Co-operative Online Bibliographic System & Services (COBISS).

Recommendation 3

Since 2005, the Ministry of Education and Sport adopts annual action plans for the implementation of the strategy which determine the allocated funds and projects to be implemented in the relevant year. So far, action plans for 2005, 2006, 2007 and 2008 have been drafted and implemented. Financial resources for the implementation of the action plan are provided from the national budget, and in 2008 also from the European Social Fund.

Recommendation 4

In bilingual areas, bilingualism must be implemented by state and local authorities and bearers of public authority based in a territorially exactly defined area. If state and local authorities and bearers of public authority performed their work in the Italian or Hungarian language outside the ethnically mixed area, this would be contrary to the Constitution of the Republic of Slovenia, since Slovene is the official language of the Republic of Slovenia.

The implementation of laws, other regulations and acts is monitored by the competent inspectorate; no official records for the past years exist of violations of constitutional provisions, legislation and implementing regulations on bilingualism, which in ethnically mixed areas must be ensured by institutions and not individuals.

Recommendation 5

In accordance with Article 11 of the Constitution of the Republic of Slovenia, two official languages are used in specified ethnically mixed areas, i.e. areas historically populated by the Italian and Hungarian national communities (autochthonous population), which are defined in the Establishment of Municipalities and Municipal Boundaries Act.

Recommendation 6

In its Comments on the Second Report of the Committee of Experts of the European Charter for Regional or Minority Languages on Slovenia, Slovenia announced it would answer the Committee's questions. The answers are given below. For example, the chapter on the implementation of Article 12 of the Charter sets out the work of a special sector of the Ministry of Culture for the protection of cultural diversity and cultural rights of members of different ethnicities living in Slovenia's territory; the chapter on the implementation of Article 13 of the Charter answers the Committee of Experts' questions about the economic and social life.

- 6., 7. After receipt of the Second Report of the Committee of Experts on the application of the Charter in Slovenia, the Ministry of Foreign Affairs apprised all relevant institutions involved in the preparation of the Second Periodical Report of opinions and recommendations contained in the Report of the Committee of Experts; in cooperation with these institutions, the Ministry prepared the Comments of the Republic of Slovenia on the Second Report of the Committee of Experts. Once the document is adopted by the Government of the Republic of Slovenia, it becomes public and accessible to all interested institutions, since it is **published on the web**.

PART II

1.1.

The Republic of Slovenia has been implementing the provisions of Article 7 of the Charter by pursuing a set of objectives and principles in policy building, legislation and everyday practice. These objectives and principles are enshrined in Article 7 of the Charter and include:

- Recognition of the regional or minority languages as an expression of cultural wealth;
- Respect for the geographical area of each regional or minority language in order to ensure that the existing or new administrative divisions do not hamper the promotion of the regional or minority language in question;
- Need for resolute action for the promotion of regional or minority languages, aimed at safeguarding them;
- Facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;
- Maintenance and development of links, in the fields covered by the 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;
- Provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;

- 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;
- Promotion of study and research on regional or minority languages at universities or equivalent institutions;
- 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.

In addition to the above-mentioned constitutional provisions and legal acts directly regulating the status of national communities (Hungarian and Italian) in Slovenia and the recognition of their respective minority languages enriching their own culture, attention should be drawn to a particularity in the Slovenian model of the protection of national minorities: the protection of national communities indirectly also refers to members of the majority nation. For example, members of the majority nation are obliged to have bilingual documents since the principle of learning the language and culture of minorities is applied in public schools, which means 'tolerating' bilingual toponomastics. It depends on each individual member of the national community when and how he/she exercises 'the accorded' special rights. In the field of protecting minority rights, it should be mentioned that cultural and spiritual heritage of an ethnically mixed area is a property shared by all its inhabitants regardless of their national affiliation and/or social status they had in different historical periods. At this point it has to be stressed that the rights exercised by members of the national communities outside ethnically mixed areas have been defined as well. The Slovenian state included among these rights the right of members of the national communities to be entered in a special electoral register of the national communities for the election of a national community deputy to the National Assembly, also in cases where they do not live in an ethnically mixed area, and the right to learn the language of the respective national minority outside an ethnically mixed area. It has to be underlined that Slovenian minority legislation is above an average standard since the principle of cultural pluralism is applied in legislation in force, according to which members of the majority nation are also acquainted with the language and culture of national minorities. The applicable education scheme in Slovenia ensures that not only minority members but also the rest of the population in ethnically mixed areas in Slovenia use minority languages.

1.2.

In implementing objectives and principles under Article 2, paragraph 1 of the Charter some latest amendments to regulations have to be presented.

1.2.1.

In May 2004, the **Act Amending the Consumer Protection Act** (Ur. l. RS No. 51/2004) was adopted, stipulating in Article 2, paragraph 1 that a company must conduct business with its consumers in Slovene and, in the areas populated by the autochthonous Italian or Hungarian national community, also in the language of

the relevant national community.¹⁶ Furthermore, Article 5 stipulates that advertisements must be in the Slovene language; in the areas of autochthonous settlement of the Italian or Hungarian national community, advertisements can also be in the language of the respective national community. The adoption of this Act extended bilingualism from the public to the private sector.

In the proceedings for the review of the constitutionality of Article 2, paragraph 1 of the Consumer Protection Act, initiated at the request of Petrol, Slovenian Energy Company d.d., Ljubljana, Poslovni sistem Mercator, d. d., Ljubljana, and others, the Constitutional Court unanimously decided (Decision of the Constitutional Court No. U-I-218/04-31 of 20 April 2006, published in Ur. l. RS No. 46/2006) that Article 2, paragraph 1 of the Consumer Protection Act (Ur. l. RS No. 51/2004), stipulating that companies must do business with consumers in the Slovene language, and in the areas of autochthonous settlement of the Italian or Hungarian national community, they must also do business in the language of the respective national community, is not inconsistent with the Constitution. However, the Constitutional Court established that the Consumer Protection Act was inconsistent with the Constitution since it did not determine a time limit for the adjustment of the business operations of commercial enterprises. The National Assembly had to remedy the established unconstitutionality within a time limit of six months from the publication of this decision in *Uradni list Republike Slovenije*. The application of Constitutional Court Ruling No. U-I-218/04, dated 13 October 2004 (Ur. l. RS No. 117/04), temporarily suspending the implementation of the challenged provision, was extended until the expiry of the time limit.

On 17 December 2007, the National Assembly of the Republic of Slovenia adopted the **Act Amending the Consumer Protection Act**.

Amendments relating to the national communities include:

1. Article 2, paragraph 1 shall be amended to read as follows:

“(1) Companies must do business with consumers in the Slovene language, and in the areas of autochthonous settlement of the Italian or Hungarian national community, they must also do business in the language of the respective national community. They must use the complete name of their respective firm and seat in any written communication relating to business. When marking products, companies must provide relevant information to the consumer, relating to the characteristics, sales conditions and intended use of the product. Such information must be provided in a language that consumers in the territory of the Republic of Slovenia understand. In marking products, companies may use text and/or generally used symbols and images.”

A new, second paragraph shall be added, which reads as follows:

“(2) Business processes in which companies in the areas of autochthonous settlement of the Italian or Hungarian national community must use the language of the respective national community shall be specified by the minister responsible for the economy.”

The current paragraphs 2 and 3 shall become paragraphs 3 and 4 respectively. (Article 3 of the Act Amending the Consumer Protection Act)

2. (1) Companies doing business in the areas of autochthonous settlement of the Italian or Hungarian national community must start doing business in accordance

¹⁶ At the session on 19 May 2004, the Commission for the Economy of the National Council of the Republic of Slovenia decided to request the legislature to provide an explanation of this Article.

with the provision under Article 2, paragraph 1, first sentence of the Act at the latest within twelve months after the adoption of the regulation referred to in Article 2, paragraph 2 of the Act.

(2) The minister responsible for the economy shall adopt the regulation referred to in Article 2, paragraph 2 of the Act, within six months after the entry into force of the present Act. (Article 24 of the Act Amending the Consumer Protection Act)

Pursuant to Article 2, paragraph 2 of the Act Amending the Consumer Protection Act, the minister responsible for the economy issued, on 15 July 2008, the **Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities**. The Rules were published in *Uradni list Republike Slovenije* No. 78/2008 of 30 July 2008. The Rules specify business processes involving the sale of goods and services in which companies, in the areas of autochthonous settlement of the Italian and Hungarian national communities, must use the Slovene language and the language of the respective national community. In the areas of autochthonous settlement of the Italian and Hungarian national communities, companies must use the Slovene language and the language of the respective national community when doing business with customers; this refers specifically to:

- The provision of basic information about products or services concerning their characteristics, intended use, composition, instructions for use and sales conditions;
- Price lists, if required by a special law;
- Opening times.

In July 2004, the **Public Use of the Slovene Language Act** (Ur. l. RS No. 86/2004) was adopted. In Article 1, paragraph 1 it stipulates that the Slovene language is the language of oral and written communication in all spheres of public life in the Republic of Slovenia, except when, in addition to Slovene, Italian or Hungarian are official languages in accordance with the Slovenian Constitution.

Article 3 stipulates that in the territory of municipalities where the Italian or Hungarian national community lives, the public use of Italian or Hungarian as official languages, in addition to Slovene, must be guaranteed with special regulations.

Pursuant to Articles 24 and 37 of the Public Use of the Slovene Language Act, in October 2005 the minister responsible for culture issued the **Instruction on the manner of organising public events in which foreign languages are used too** (Ur. l. RS No. 93/2005), stipulating in Article 4 that at public events organised for the population of municipalities in which the Italian or Hungarian national community lives the language of the respective national community must be used in accordance with the provisions of sector-specific laws.

In the context of ensuring the languages of autochthonous national communities in Slovenia an appropriate status and with regard to the development of the Romani language, the **Resolution on National Programme for Language Policy 2007–2011** (Ur. l. RS No. 43/2007) should be mentioned, particularly subchapter 3.3.1 – Vision and programme objectives in subchapter 4.1 – Overview of measures and activities (paragraphs and/or sub-paragraphs 3 d, 5 e, 6 i and 12 c).

In March 2005, the **Decree on Administrative Operations** (Ur. l. RS No. 20/2005) took effect, replacing the Decree on the Document Management by the Public Administration Bodies (Ur. l. RS No. 91/2001) and several other implementing regulations. The Decree stipulates that all key events registered on the State portal of the Republic of Slovenia must also be available in the Italian and Hungarian languages; the same applies to the basic information about the portal. Furthermore, on-line application forms and on-line information about administrative services of the relevant body must also be available in the Italian and Hungarian languages.¹⁷

In 2005, the **Elementary School Act** (Ur. l. RS No. 81/2006 – official consolidated text, and No. 102/2007), Article 64 on national examinations, was amended.

In November 2005, the **Promotion of Balanced Regional Development Act** (Ur. l. RS No. 93/2005) took effect, setting as one of its objectives the development of areas where the two autochthonous national communities live and of the settlements of the Roma community in the Republic of Slovenia. Regional development programmes for regions where the autochthonous national communities and the Roma community live also include development programmes for areas settled by the said communities. In development regions where the Italian and Hungarian national communities and the Roma community live, each community appoints one representative to the regional development council. The use of language in bilingual areas where members of the Italian or

¹⁷ Decree on Administrative Operations (Ur. l. RS Nos. 20/2005, ..., 31/2008):

Article 172
(Envelopes)

...
(12) In the territory of municipalities where, in addition to Slovenian, the Italian or Hungarian language is the official language, the text on envelopes shall also be in the Italian or Hungarian language.

...
Article 180
(Electronic service forms and notifications)

...
(3) In the territory of local communities where, in addition to Slovenian, the Italian or Hungarian language is the official language, the text on service forms and notifications shall also be written in the Italian or Hungarian language.

...
Article 223
(Operations in the languages of the Italian and Hungarian national communities)

(1) In the territory of local communities where, in addition to Slovenian, the Italian or Hungarian language is also the official language, all forms, receipt stamps, seals and documents from official records shall also be in the Italian or Hungarian language.

(2) All features of official documents shall also be printed in the Italian or Hungarian language if they are used in areas where the Italian or Hungarian national community lives.

(3) All key events registered on the State portal of the Republic of Slovenia shall also be available in the Italian and Hungarian languages.

(4) On-line application forms and on-line information about administrative services of the relevant body shall also be available in the Italian and Hungarian languages.

Hungarian national community live is regulated by the provisions of the General Administrative Procedure Act.

At the beginning of November 2005, the amended **Public Administration Act** (Ur. l. RS No. 93/2005) took effect. The amendment refers to Article 4, which at present reads: “In those municipalities where the Italian or Hungarian autochthonous national community resides, the official language of the administration shall also be Italian or Hungarian. In these areas, the administration shall operate also in the language of the national community. If the party to the procedure uses the language of the national community, the administration shall conduct the procedure in the language of the national community and issue legal and other acts in the procedure in the Slovene language as well as in the language of the national community. The party must be advised of this right prior to the beginning of the procedure.”

Following its adoption on 15 July 2005 and its endorsement in a referendum on 25 September 2005, the new **Radiotelevizija Slovenija Act** (ZRTVS-1) took effect on 12 November 2005, stipulating in Article 30 that national community channels are co-financed by the state.

In May 2006, the new **draft societies law** (EPA-533-IV, second reading) was submitted to the National Assembly for adoption. Based on the advice of the Commission for Italian national community issues of the Municipal Council, Izola Municipality, its Article 10, paragraph 1 reads as follows: “The name of a society shall be Slovene. If a society is based in the area where the self-governing national communities live, its name may also be composed of a translation of the name into the Italian or Hungarian language. The name of a society shall differ from other societies’ names and shall not be misleading or insulting.” At the session on 30 May 2006, the National Assembly of the Republic of Slovenia adopted The Societies Act (Ur. l. RS No. 61/2006). The representative of the Italian national community to the National Assembly and a member of the Italian national community, Roberto Battelli, petitioned the Constitutional Court of the Republic of Slovenia to review the constitutionality of Article 10 of The Societies Act. The petitioner believed that the Article was inconsistent with the Constitution and that the challenged statutory regulation entailed a departure from the constitutional requirement of the ‘concurrent official nature’ and ‘equality’ of the Slovene language and the languages of the national communities in the geographical areas where they live. The Constitutional Court adopted the standpoint that the languages of the national communities in the geographical areas where these communities live have a special constitutional status and protection and are, as such, not foreign languages. Due to the fact that the challenged regulation determines that societies with a registered office in the area where the autochthonous national communities live must use a translation of the name of the society in the Italian or Hungarian language, whereas it does not determine the use of these languages alone, it is inconsistent with the rights enjoyed by these national communities in accordance with Article 64, paragraph 1 of the Constitution. Therefore, the Constitutional Court decided that the challenged regulation is inconsistent with the above-mentioned provision of the Constitution. It determined a one year period for the legislature to remedy the established inconsistency.

In November 2006, the **Financing of Municipalities Act** (Ur. l. RS No. 123/2006) was passed, stipulating in Article 20 that municipalities with ethnically mixed areas are granted funds for the financing of bilingualism and the implementation of the constitutional rights of the Italian or Hungarian national community. Furthermore, the purpose of use and the amount of funds are specified by the Government through a decree.

On 22 November 2007, the National Assembly adopted **the Act Amending the Lawyers' State Examination Act**:

In Article 5 a new paragraph shall be added after paragraph 1, which reads as follows:

“In the area of jurisdiction of a higher court in which a lower court also operates in the Italian or Hungarian language, a certain number of trainee posts out of the total number of trainees employed at courts shall be reserved to trainees with advanced language skills in Italian or Hungarian residing in the territory of the higher court.”

In Article 7 new paragraphs 3 and 4 shall be added after paragraph 2, which read as follows:

“Applications shall include certificates required for the compilation of a priority list of traineeships under the provisions of this Act and for the filling of special posts under Article 5 of the Act. If the applicant obtained the professional title under Article 6 of the Act in the Republic of Slovenia, he/she shall not be obliged to enclose with the application professional title certificates and certificates for the compilation of a priority list of traineeships under this Act; instead, in order to establish the fulfilment of the conditions under Article 6 of the Act and to compile and issue a priority list of traineeships under this Act, the president of the higher court shall acquire this data from the institution of higher education at which the applicant obtained the professional title.

If the applicant obtained a professional title under Article 6 of the Act in the Republic of Slovenia, he/she is not obliged to enclose with the application a certificate of active language skills in Slovene. Advanced language skills shall be attested by an appropriate professional title in the Italian or Hungarian language, by equivalent studies concluded abroad, by an officially recognised certificate of advanced language skills in Italian or Hungarian obtained from an officially recognised education programme or by a certificate attesting that the applicant is on the list of permanent court interpreters for one of either languages.”

In accordance with Article 5 of the Lawyers' State Examination Act, the Government of the Republic of Slovenia adopted the **Decision determining the total number of trainee posts at individual courts for judicial trainees**.¹⁸

Higher courts are allocated the following number of posts for judicial trainees employed at courts:

- The Higher Court of Celje, 26 trainee posts;
- The Higher Court of Koper, a total of 30 trainee posts, including two posts for judicial trainees with advanced Italian language skills;
- The Higher Court of Ljubljana, 92 trainee posts;

¹⁸ Ur. l. RS No. 25/2008

- The Higher Court of Maribor, a total of 60 trainee posts, including two posts for judicial trainees with advanced Hungarian language skills.

In January 2008, the **Patients Rights Act**¹⁹ was adopted, stipulating in Article 19 that patients have the right to be addressed by medical and non-medical professionals in Slovene or the language of the national community in the area of local communities where, in addition to Slovene, Italian or Hungarian is the official language.

On 11 February 2008, the National Assembly of the Republic of Slovenia adopted the **Cultural Heritage Protection Act**, stipulating in Article 1, paragraph 2 that heritage is items inherited from the past that Slovenians, members of the Italian and Hungarian national communities and the Roma community and other citizens of the Republic of Slovenia consider a reflection and expression of their values, identities, religious and other beliefs, knowledge and traditions. Other citizens of the Republic of Slovenia may, of course, have an ethnic identity that is different from the majority's identity.

On 29 March 2008, the **Act Designating Areas and Naming and Marking Settlements, Streets and Buildings** took effect, stipulating in Chapter IV, Article 17 (Ordinance on the designation of settlement areas and ordinance on the naming of settlements), paragraph 4 that prior to adopting any ordinance on the names of settlements in ethnically mixed areas, the relevant municipalities must obtain the consent of the competent self-governing national community. The competent self-governing national community gives its consent through members of the municipal council – representatives of the national community. Chapter IV of the Act applies, *mutatis mutandis*, to the setting-up of the system of streets and the naming of streets.

The previous act governing this area, i.e. the 1980 Act Regulating the Naming and Registration of Settlements, Streets and Buildings, stipulated in Article 8 that municipal assemblies decided on the naming, renaming, merging, dividing and abolishing of settlements and streets, and on the designation of settlement areas.

It further stipulated that in the areas populated by Slovenians and members of the Italian or Hungarian national community, self-governing interest communities for education and culture of the relevant national community participated in the decision-making process referred to in the foregoing paragraph.

In April 2008, the **Act Amending the Organization and Financing of Education Act**²⁰ was adopted, stipulating that educational institutions display the flag of the Republic of Slovenia at all times; in areas in which the Italian or Hungarian national community lives, the flag of the national community is also displayed. The **Decree on Displaying the Flag of the Republic of Slovenia on Educational Institutions** (adopted in May 2008) further stipulates that in areas where the Italian or Hungarian national community lives the flag of the national community is also displayed on educational institutions with Italian as the language of instruction and bilingual pre-school institutions and schools. In areas

¹⁹ Ur. l. RS No. 15/2008

²⁰ Ur. l. RS No. 36/2008

where the Italian or Hungarian national community lives, the flag of the national community may also be displayed on other educational institutions.

The new **Criminal Code** (adopted on 20 May 2008, in force as of 1 November 2008) stipulates in Article 165 (Disparagement to the Slovene Nation or the National Communities) that whoever publicly commits any of the offences under Articles 158–160²¹ of the Code against the Slovenian nation or the Italian or Hungarian national community or the Roma community living in the Republic of Slovenia, shall be punished by a fine or by imprisonment of up to one year.

In June 2008, the **Rules regulating the advertising of medicinal products** were adopted.²² In accordance with Article 10, paragraph 1 advertisements must be in the Slovene language; in the areas where the Italian or Hungarian national community lives, advertisements may also be in the language of the respective national community. Notwithstanding the provision of paragraph 1, literature enclosed with advertising material for the professional public may also be in the source language of an article. At international expert meetings in the Republic of Slovenia, advertisements and advertising material may also be in the language of the event or languages of the participants of the event.

At the 177th regular session on 10 July 2008, the Government of the Republic of Slovenia agreed the text of the **draft law on the establishment of regions, the draft law on the financing of regions, and the draft law on transfer of competences to regions**. The draft law on the establishment of regions stipulates that a national community has two representatives in the first regional council of the region which includes municipalities where the autochthonous Italian or Hungarian national community lives. This means that members of the Italian national community would elect as their representatives two of the 43 members of the first regional council of the Southern Primorska region. Members of the Hungarian national community would elect as their representatives two of the 41 members of the first regional council of the Pomurje region.

The following provisions of the **draft law on transfer of competence to regions** refer to the national communities:

Promotion of Balanced Regional Development Act

1. A cohesion region shall establish a development council; regional councils operating in the area of the cohesion region shall elect two representatives to the development council of the cohesion region, while the Government of the Republic of Slovenia, the employers' association, trade unions, the chamber of agriculture, the Italian and Hungarian national communities, and non-governmental organisations shall each elect one representative (Article 6 of the draft law).

2. Development programmes for border regions shall also include cross-border cooperation programmes and development programmes for the Slovenian minorities abroad. Development programmes for regions where the autochthonous national communities and the Roma community live shall also include development programmes for areas settled by the said communities (Article 8 of the draft law).

²¹ Ur. l. RS No. 55/2008 (66/2008 – amended) – Chapter Eighteen

²² Ur. l. RS No. 105/2008

3. Local development programmes may be prepared on the initiative of the municipalities which are included in the local development partnership. In regions which include municipalities with ethnically mixed areas a local development programme may also be prepared on the initiative of the Italian and Hungarian national communities. The autochthonous national communities shall be involved in the preparation of local development programmes in regions which include municipalities with ethnically mixed areas by giving their opinions and putting forward their proposals and initiatives (Article 9 of the draft law).

In the **draft law on the financing of regions** the following provision refers to the national communities:

1. Regions which include municipalities where the autochthonous Italian or Hungarian national community lives shall provide, within their competencies, funds for programmes and measures through which the implementation of constitutional and statutory special rights of the autochthonous national communities and activities aimed at preserving and developing their national identity shall be ensured (Article 16a of the draft law). The Government of the Republic of Slovenia actively cooperated with both national communities in the drafting of legislation on regions.

On the basis of the Agreement on Guaranteeing Special Rights to the Slovene Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia, signed by the two states in 1992, the Mixed Slovene-Hungarian Commission meets annually to assess the implementation of the Agreement and addresses its recommendations to the respective governments. The last meeting of the Mixed Slovene-Hungarian Commission was held in Budapest on 25 April 2008.

1.2.2.

Pursuant to Article 7, paragraph 5 of the Charter, the Republic of Slovenia also applies, *mutatis mutandis*, the provisions under Article 7, paragraphs 1–4 (objectives and principles on which the policies, legislation and practice in respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language) in respect of the Romani language (see the statement of the Republic of Slovenia upon the ratification of the European Charter for Regional or Minority Languages).

The legal basis for the regulation of the status of members of the Roma community in Slovenia is provided by Article 65 of the Constitution of the Republic of Slovenia²³, 14 sector-specific laws²⁴, and the umbrella Roma law, the

²³ Article 65 of the Constitution stipulates that the status and special rights of the Roma community living in Slovenia are regulated by law.

²⁴ Local Self-Government Act, Local Elections Act, Voting Rights Register Act, Organisation and Financing of Education Act, Pre-school Institutions Act, Elementary School Act, Media Act, Libraries Act, Exercising of the Public Interest in Culture Act, Promotion of Balanced Regional Development Act, Radiotelevizija Slovenija Act, Financing of Municipalities Act, Cultural Heritage Protection Act, Criminal Code of the Republic of Slovenia – the latter two were adopted or amended in 2008.

Roma Community Act. The Programme of Measures for Assisting Roma adopted in 1995 is also important. It still applies and includes measures for improving the status of the Roma community in key areas such as housing, education, employment, family welfare, social and health care, the cultural development of the Roma community, as well as informing and organisation of Roma. Furthermore, Government decisions should be mentioned, whereby the Government also decreed that all the ministries and Government offices must devote, within the scope of their responsibility, special attention to Roma issues and include them in sector-specific national programmes.

The Roma Community Act (hereinafter: the Act) was adopted by the National Assembly on 30 March 2007 and it entered into force on 28 April 2007. The Act comprehensively regulates the status of the Roma community in Slovenia; it defines the role of the state authorities and authorities of the self-governing local communities in exercising the special rights of the Roma community; it regulates the organisation of the Roma community at the national and local levels, as well as its financing.

Organisation of the Roma community

- At the local level, special working bodies which monitor the status of the Roma community are set up in the municipalities where a representative of the Roma community is elected to the city or municipal council. These working bodies are set up in all the municipalities defined in the Local Self-Government Act, with the exception of the Grosuplje municipality, in which no representative of the Roma community has been elected to the municipal council so far.
- On 20 June 2007, the Roma Community Council of the Republic of Slovenia (hereinafter: the Council) was founded to represent the interests of the Roma community in Slovenia in relations with state authorities. In compliance with the provisions of the Act, Jožek Horvat Muc was elected president of the Council at its founding session. The Council represents the interests of the Roma community in Slovenia in relations with state authorities and carries out other important tasks relating to the interests, status and rights of the Roma community. It has the right to submit proposals, initiatives and opinions on matters within its competence to the National Assembly, the National Council, the Government, other state authorities, other bearers of public authority and local self-government authorities. When adopting or issuing regulations and other general acts relating to the Roma community, these authorities must obtain the prior opinion of the Council.

Adoption and drafting of the Government Programme of Measures Assisting Roma

- The Act stipulates that the Republic of Slovenia creates the conditions and pays special attention to:
 - include members of the Roma community in the education system, improve their level of education and provide for an appropriate scholarship policy;
 - include members of the Roma community in the labour and employment market;
 - preserve and develop the Romani language, as well as the cultural, information and publishing activities of the Roma community;

- resolve the spatial planning problems of Roma settlements and improve housing conditions for Roma community members.
- The Act stipulates that the Government adopts a programme of measures, in cooperation with self-governing local communities and the Council, in order to ensure concerted exercise of the special rights of the members of the Roma community. The national programme of measures will determine the obligations and tasks of the Republic of Slovenia under the Act, primarily relating to the above areas. The programme will also include other important areas, such as social and health care. In autumn 2007, the Government set up a working group for drafting the programme. Its members include representatives of the relevant ministries, the Council and local communities (municipalities). A draft programme of measures has already been prepared. The programme is drafted so as to impose or envisage, to the greatest extent possible, deadlines for the implementation of each measure, together with its financial implications. The tasks and obligations under the Government programme of measures will be performed by the relevant ministries, other state authorities and bodies of self-governing local communities which will adopt detailed sector-specific programmes and measures, and earmark the necessary funding in their financial plans. The implementation of the programme of measures will be monitored by a special Government working body, similar in structure to the one that already exists (i.e. the Government Commission for the Protection of the Roma Ethnic Community). At least once a year, relevant state authorities and bodies of self-governing local communities will have to report to it on the implementation of the Government programme of measures.

In the field of culture, the Resolution on the National Programme for Culture 2004–2007 should be underlined, in which a special chapter was devoted to objectives and measures regarding the culture of the Roma community. In the Resolution on the National Programme for Culture 2008–2011 (Ur. l. RS No. 35/2008), the cultural development of the Roma community remains a cultural priority. Ever since 1993, the Ministry of Culture has been promoting cultural activities of the Roma community, taking into consideration the needs expressed by its members, and ensuring conditions for their participation in the measures intended for them. Special attention of the Ministry is devoted to developing cultural creativity and promoting minority artists, above all those from the Roma community.

On 1 February 2008 the National Assembly adopted a new Cultural Heritage Protection Act (Ur. l. RS No. 16/2008), whose provisions also concern the Roma community.

In accordance with the Roma Community Act, more should also be done at the local level concerning education and fostering creativity, where an important role is played by the media, and especially by the national television (with its Roma programme).

A positive development in the field of information activities for the Roma community is the production of radio and television broadcasts for Roma. These have been broadcast for several years by local radio and television stations, and lately also within the Slovenian national radio and television programmes: since December 2007, a weekly Roma show “Naše poti – Amare droma” has been

broadcast by the national radio station, and since 23 March 2008, a fortnightly 15-minute show “So vakeres? – Kaj govoriš?” prepared by Roma authors has been broadcast on the national television.

Since 2003, a Roma information centre – ROMIC has been operating within the Union of Roma of Slovenia. At the last public tender of the Post and Electronic Communications Agency (the decision on announcing a public tender for the assignment of radio frequencies for broadcasting was published in Ur. l. RS No. 118/2007) it was assigned a local radio frequency for the wider Murska Sobota area (97.6 MHz). The radio station educates and informs Roma as well as the non-Roma population, and its mission is to preserve the identity, culture and especially the language of the Roma community.

Roma and education

Acts and implementing regulations governing the rights of Roma in education:

- Organisation and Financing of Education Act (Ur. l. RS Nos. 16/2007 – official consolidated text and 36/2008),
- Pre-school Institutions Act (Ur. l. RS Nos. 100/2005 – official consolidated text and 25/2008),
- Elementary School Act (Ur. l. RS Nos. 81/2006 – official consolidated text and 102/2007).

Apart from these normative acts, education of Roma has also been regulated by certain implementing regulations. The Council of Experts for General Education adopted in 2000 the Instructions for implementing the programme of the nine-year elementary schools for Roma pupils, and in 2002 the appendix to the pre-school curriculum for the work with Roma children.

In December 2002, the relevant ministry set up a special working group which analysed in detail the issue of Roma education. The analysis showed the need for a more effective and better coordinated policy for the education of Roma pupils. In 2004, a document entitled The Strategy for Education of Roma in the Republic of Slovenia was drawn up and adopted by the highest professional authorities in the field of education in May/June 2004. The strategy provides the basis for specific and coordinated further measures in education. The Union of Roma of Slovenia was involved throughout the drafting of this strategic document.

The document provides for the following solutions:

- Early integration into the education system: inclusion of Roma children in pre-school institutions at least two years prior to their enrolment in elementary school, i.e. when they are four years of age at the latest. The principal purpose of Roma children’s inclusion in pre-school institutions is language learning (both Slovene and Romani) and their socialisation in an educational institution providing experience and models for facilitating entry and integration into elementary school;
- Roma assistants: lack of knowledge of the Slovene language and unsuccessful integration of children may be overcome or alleviated by a Roma assistant who will help children overcome the emotional and linguistic barriers and will represent a bridge between the pre-school institution and school on the one hand and the Roma community on the other;

- Adaptation of the curriculum: introduction of Romani language lessons in elementary school as an optional subject, teaching the Slovene language, identifying objectives (e.g. multiculturalism) or knowledge standards in curricula which are to be achieved through content taken from Roma culture, history and identity;
- The provision of permanent in-service training and additional education programmes for professionals working with Roma;
- Specific forms of organisation and material conditions: to at least maintain the current standards; further financial support and assistance from the Ministry of Education and Sport;
- Non-segregation and inhomogeneous classes; to apply the prescribed forms of individualisation, internal and flexible differentiation, ability grouping;
- Various forms of learning assistance;
- Building confidence in school and the elimination of prejudices (a special school scheme defining the activities of communication and cooperation with parents of Roma children and a scheme for identifying and continuously eliminating the stereotypes and prejudices about Roma pupils among the majority population);
- Roma pupils as an ethnic group are not pupils with special needs (poor school performance, which results from a lack of knowledge of the language of instruction or from the specific features of Roma culture, cannot serve as a basis for enrolling these children in programmes with lower educational standards);
- Adult education: the basic objectives of educating adult Roma are set out in the *National Programme of Adult Education in the Republic of Slovenia until 2010* (to improve the general education level of the adult population, whereby four years of secondary schooling is the basic educational standard, to increase the employability of adults and their participation in lifelong learning). Particular attention will be devoted to educating adult Roma with a view to improving their level of education and developing human resources; establishing consultancy centres or networks in areas inhabited by Roma; introducing the institution of a Roma coordinator; setting special norms and standards for programmes involving adult Roma; and providing adequate funding for participation in programmes and learning assistance free of charge.

Objectives and measures included in the document are of a strategic nature and cannot all be fulfilled simultaneously. For this reason, the Ministry in 2005 appointed a special group for the implementation of the strategy headed by the President of the Union of Roma of Slovenia. Each year the group drafts an annual action plan enumerating specific activities for the current year. So far, action plans for 2005, 2006, 2007 and 2008 have been drafted and implemented. Financial resources for the implementation of the action plan are provided from the state budget and in 2008 also from the European Social Fund.

In this period, the following activities and measures were carried out:

- A normative act banned the establishment of classes exclusively for Roma pupils.
- A network of schools with Roma pupils has been formed. Within this network, teachers exchange experience and good practices, and additional professional

teacher training is also provided by faculties, institutes and public institutions (e.g. National Education Institute of the Republic of Slovenia).

- The schools were provided with the resources to implement projects and other activities to fulfil the objectives of intercultural dialogue. School projects and activities should contribute to better knowledge of cultures (Roma and others), and consequently to co-existence and the eradication of stereotypes.
- In this period, several research projects were financed. These form part of evidence-based policy as they provide the only basis for an effective education policy.
- Occupational standards for Roma assistants were developed, and in 2008 funds were also earmarked for their inclusion in the school system.
- In 2008 funds were earmarked to increase the number of teaching staff in classes with Roma pupils.
- The Union of Roma carried out an independent evaluation of the education of Roma pupils and proposed specific measures based on it.
- Each year the Union of Roma (with the Ministry of Education and Sport co-financing) organises a Roma camp with the main purpose of teaching the Romani language.
- During a research project, bases for the standardisation of the Romani language were prepared.
- In this period, special attention was also devoted to the inclusion of Roma pupils in schools for children with a mild mental retardation.
- A project to develop the method (and materials) for teaching Slovene as a foreign language was financed to enable faster and more successful learning.
- Publications of the Union of Roma and literary works by Roma authors were co-financed.
- The syllabus for a course in Roma culture was drafted and adopted.

The state devotes special attention to education of Roma pupils and grants special concessions to schools attended by them. It allocates additional funds for individual and group work with Roma pupils; sets lower norms for classes with Roma (the number of teaching hours of a second teaching professional in 1st grade classes with at least three Roma pupils enrolled is 15 per 10–14 pupils, and 20 per 15–21 pupils); finances meals, textbooks, excursions etc.; it has financed research projects aimed at more successful involvement of Roma pupils and the standardisation of the Romani language as a basis for its teaching.

Roma pre-school children are integrated in regular classes in the following municipalities: Beltinci, Brežice, Cankova, Dobrovnik, Jesenice, Kočevje, Križevci, Krško, Kuzma, Maribor, Puconci, Radovljica, Ribnica, Rogašovci,

Semič, Šentjernej, Škocjan, Tišina, Turnišče, Velenje. There are three methods for their inclusion in pre-school institutions: the majority are integrated in regular groups, fewer in special Roma groups consisting of Roma children only, and there is one pre-school institution with Roma children only (in the Roma settlement of Pušča in Murska Sobota). Nevertheless, it has to be emphasised that all other children have the possibility to enrol in this institution.

Pre-school classes attended only by Roma children (homogenous classes) in the Republic of Slovenia in the 2007 school year:

PRE-SCHOOL INSTITUTION	No. of classes	Average no. of children
Pre-school Institution at the F. Prešeren Elementary School, Črenšovci	1	9.7
O. Župančič Pre-school Institution, Črnomelj	1	12.3
Lendava Pre-school Institution	1	11.0
Murska Sobota Pre-school Institution	2	24.5
Pedenjped Pre-school Institution, Novo Mesto	2	21.8
Trebnje Pre-school Institution	1	11.2
	8	90.5

Source: Ministry of Education and Sport of the Republic of Slovenia

In the 2007/2008 school year, 1,797 Roma children were enrolled in elementary schools.

In May 2008 the Ministry of Education and Sport published a call for applications for a project on the education of Roma worth 2 million euros for a period of 6 years. The Union of Roma was selected and it will be in charge of the project of employing Roma assistants in schools. Roma assistants represent a link between the school and the family and help the pupils in learning. As yet, 26 assistants have been employed.

In 2006 and 2007, the Ministry mostly financed education of adult Roma in Kočevje, Murska Sobota, Črnomelj and Novo Mesto, and to a lesser extent also in Trebnje, Velenje and Maribor.

In 2006 the Ministry co-financed 22 education programmes worth 4,400,000 Slovenian tolar or 18,360 euros.

In 2007 the Ministry co-financed 20 education programmes worth 15,020 euros.

The programmes focus on:

- Improving the social status of Roma (e.g. education and employment issues),
- The family and children (e.g. childcare and child raising, family health, housekeeping, cooking),
- Cultural issues (e.g. citizenship literacy, communication culture and performance skills, books – my friends, my language – my right, education for tolerance in traffic),

- Practical issues (e.g. growing a vegetable garden, computer and the Internet).

On 31 May 2008 young Roma intellectuals and students established the Roma Academic Club (RAK) society. Its statute includes the intention to raise awareness of members of the Roma and Sinti communities on the significance of knowledge and education.

1.2.3.

Already in the Statement of Good Intentions of 1990, Slovenia devoted attention to members of other nations and nationalities. Paragraph 2, item 1 states: “The Slovene state guarantees its Italian and Hungarian minorities that within the independent Republic of Slovenia they shall enjoy all the rights that are laid down by its Constitution and laws, as well as international agreements signed and recognised by the Socialist Federal Republic of Yugoslavia. Likewise, it guarantees the members of all other nations and nationalities their right to an overall cultural and linguistic development, and to all those who have their permanent residence in Slovenia that they can obtain Slovene citizenship, if they so desire.”

The Constitution of the Republic of Slovenia does not contain provisions relating directly to the special protection of members of other ethnic groups. These can exercise their rights under Articles 14, 61 and 62 of the Constitution. Exercising these individual rights enables them to preserve their national, linguistic and cultural identities. It has to be stressed that the implementation of Articles 61 and 62 of the Constitution of the Republic of Slovenia, i.e. exercising cultural rights, is provided for by the Ministry of Culture and the Ministry of Education and Sport. Both institutions respond in accordance with the national law and assumed international obligations to well grounded needs of the members of the Italian and Hungarian national communities, the Roma ethnic community and members of other ethnic groups in the Republic of Slovenia.

The legal basis for the status of members of other ethnic groups in the Republic of Slovenia has been, *inter alia*, provided by the Exercising of the Public Interest in Culture Act²⁵ and the National Programme for Culture,²⁶ which place this issue in the framework of protection of cultural diversity as the wealth of Slovenia’s cultural life.

The legal basis for the status of members of other ethnic groups residing in the Republic of Slovenia has been also provided by bilateral (cultural) agreements concluded between the Government of the Republic of Slovenia and governments of countries of origin of minority ethnic groups and/or immigrants.

As a general rule, the provisions in bilateral agreements²⁷ refer to the creation of possibilities for both parties to provide language instruction for the specific ethnic

²⁵ Exercising of the Public Interest in Culture Act (Ur. l. RS Nos. 96/2002, ..., 56/2008).

²⁶ Resolution on the National Programme for Culture 2008–2011 (Ur. l. RS No. 35/2008).

²⁷ Agreement between the Government of the Republic of Slovenia and the Council of Ministers of Bosnia and Herzegovina on Cooperation in the Fields of Culture, Education, and Science (Ur. l. RS –

group in the Republic of Slovenia as well as Slovene language instruction for the persons of Slovenian ethnic origin in individual newly established states successors to the former Socialist Federal Republic of Yugoslavia (e.g. Slovenian national minority in the Republic of Croatia).

The constitutional provisions of the above articles are also applicable to members of the German-speaking ethnic group in Slovenia. Likewise, the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Austria on Cooperation in the Fields of Culture, Education and Science²⁸ provides for projects satisfying wishes and needs of the members of the German-speaking ethnic group in Slovenia in the fields of culture, education and science.

The agreement between Slovenia and Austria is not the only document on the protection of the German language and cultural heritage of Kočevje Germans adopted by the Slovenian authorities; this issue is also included in the programme for the protection of cultural heritage and the special programme by the Ministry of Culture, which also includes linguistic projects of the German-speaking community in Slovenia and other minority communities.

It should be added that in 2007 the Ministry of Culture established the foundations for a new, additional programme under a separate budgetary item “Ethnic minorities under bilateral agreements” which in 2008 was put in action for the German-speaking community on the basis of a bilateral agreement with Austria, and a new programme under which the proposal for a new item, “Promotion of cultural diversity”, was adopted. Some additional activities will be necessary to fully implement the programme as an additional possibility for the communities with formal bilateral arrangements in place.

1.3.

Additional clarifications to certain questions of the Committee of Experts regarding the application of Part II of the Charter:

Second Report of the Committee of Experts on the Charter, paragraph 39

On 15 July 2002, the Minister of Culture recommended to Radiotelevizija Slovenija to broadcast more programmes in the languages of other ethnic groups.

MP, No. 17/2000 (Ur. l. RS No. 69/2000)); Agreement on Cooperation in Education, Culture, and Science between the Government of the Republic of Slovenia and the Government of the Republic of Macedonia ((Ur. l. RS – MP, No. 7/1997 (Ur. l. RS No. 25/1997)); Agreement on Cooperation in Culture and Education between the Government of the Republic of Slovenia and the Government of the Republic of Croatia (Ur. l. RS – MP, No. 15/1994 (Ur. l. RS No. 51/1994)); Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Albania on Cooperation in Education, Culture, and Science (Ur. l. RS – MP, No. 9/1994 (Ur. l. RS No. 36/1994)); Agreement between the Government of the Republic of Slovenia and the Federal Government of the Federal Republic of Yugoslavia on Cooperation in Culture and Education (Ur. l. RS – MP, No. 13/2002 (Ur. l. RS No. 47/2002)), succeeded by Serbia and Montenegro.

²⁸ Ur. l. RS – MP, No. 5/2002.

In line with the principle of media independence, the Ministry can only issue recommendations.

Second Report of the Committee of Experts on the Charter, paragraphs 42 and 60

The expectation of the Committee regarding actions taken by the state to integrate different groups of members of the German-speaking community in Slovenia is not really clear, since the state cannot force anyone into integration and/or association (Article 42 of the Constitution). The support of the Ministry of Culture for the cooperation of different minority communities was welcomed in paragraph 42; the Ministry will continue these activities, since they represent a permanent objective of minority cultural policy.

Second Report of the Committee of Experts on the Charter, paragraph 44

Article 8 of the Elementary School Act²⁹ is not limited to particular languages; it allows, for any language, that in accordance with international agreements the teaching of their respective mother tongues and cultures is organized for the children of Slovenian citizens whose mother tongue is not Slovenian.

As to German, since 2006 additional language and culture classes have been organised at one of Ljubljana's elementary schools on the basis of the Agreement on Cooperation in Culture between the Government of the Republic of Slovenia and the Government of the Federal Republic of Germany³⁰.

The curricula of the Slovenian elementary and secondary schools include the possibility of learning German as the first foreign language from the 4th grade of elementary school (the second three-year cycle). The school year 2008/09 marks the beginning of the gradual introduction of a second compulsory foreign language in the last three-year cycle of the elementary school, German being among them. To begin with, a second foreign language was introduced in 10 per cent of Slovenian elementary schools (48 schools), most of which opted for German. Apart from that, it is still possible to opt for German as an elective subject in the last three-year cycle of elementary school.

Since 2004, the Kočevje grammar school has been included in the pilot project of European classes with special emphasis on English and German, and therefore more lessons dedicated to the German language and culture of German-speaking countries. Since 2008, special emphasis on German has been discontinued in European classes, as there are no students who chose German as the first foreign language in elementary school.

In 2008, the European year of intercultural dialogue, activities to raise awareness of schools on the positive implications of co-existence of children from different

²⁹ Ur. l. RS Nos. 12/1996, ..., 102/2007.

³⁰ Ur. l. RS – MP, No. 9/1994.

cultural and language backgrounds were enhanced. Teacher and headmaster training focuses on this, and various school projects on intercultural dialogue are being encouraged.

Second Report of the Committee of Experts on the Charter, paragraph 46

Croatian is an elective subject in elementary school – it is taught for three years two hours per week, i.e. 204 hours in total. Pupils can opt for this subject in the last three-year cycle of the 9-year elementary school (7th, 8th and 9th grades). After a year or two of learning, they can quit the programme, and they can also enrol in the 8th or 9th grade, provided they have adequate prior knowledge.

The aim of Croatian as an elective subject is to train pupils in communication competence and performance. They should be able to communicate in the Croatian language for different purposes, on various topics and in different communication environments. The course does not include only language learning (grammar, lexicology, pronunciation, orthography, stylistics (practical and literary), text linguistics), but also knowledge of society (sociolinguistic and strategic competence). As pupils perform different roles in the communication process (listener, reader, speaker, writer and translator), one of the aims of the elective subject is also the development of language skills (listening - watching, speaking, reading, writing, translation). Because language learning includes information on culture, an aim of Croatian lessons is also getting to know Croatian culture and civilisation (especially customs), which contributes to more effective intercultural communication and intercultural understanding.

In the 2008/09 school year, 70 pupils in 8 elementary schools attend Croatian as an elective subject.

Additional Croatian classes have been organised at certain elementary schools in Slovenia by the Embassy of the Republic of Croatia.

Second Report of the Committee of Experts on the Charter, paragraph 52

German

The Ministry of Foreign Affairs provided the possibility of such exchange by coordinating the substantive part of the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Austria on Cooperation in the Fields of Culture, Education and Science (signed on 30 April 2001) and later by signing two executive programmes (the first working programme on cooperation in culture, education and science between the Government of the Republic of Slovenia and the Government of the Republic of Austria for the period 2003–2007 and the second working programme on cooperation in culture, education and science between the Government of the Republic of Slovenia and the Government of the Republic of Austria for the period 2008–2012 (published on the MFA website).

The latter includes several articles enabling cross-border cooperation between universities, scientific institutes, schools and cultural institutions, as well as the promotion of cultural diversity.

The implementation of the programme is within the competence of individual ministries which are substantively and financially responsible for their respective areas. Article 45 of the Programme stipulates the exchange of an interim evaluation report on specific projects in the second half of 2010.

Croatian

The Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia on Cooperation in the Fields of Culture and Education was concluded on 7 February 1994. On its basis, interministerial programmes have been concluded periodically (for the specific areas of science, education and culture).

Second Report of the Committee of Experts on the Charter, paragraph 54

Legislation relating to education regulates mutual understanding between all the linguistic groups of the country in the following documents:

- *Elementary School Act*³¹:
 - basic general goals of elementary education (Article 2 of the Act) are “to foster literacy and the competency to understand, communicate and express oneself in the Slovene language and, in the areas defined as ethnically mixed, also in the Italian and Hungarian language, respectively”, “to learn about other cultures and foreign languages” and “to educate for mutual tolerance and respect for being different, willingness to cooperate, respect for human rights and fundamental freedoms and, consequently, develop the ability to live in a democratic society”, which is an important contribution to the respect, understanding and tolerance for regional or minority languages;
 - Article 6 of the Elementary School Act on the *language of instruction* in elementary schools stipulates that in elementary schools in areas populated by Slovenes and members of the Italian national community and defined as ethnically mixed areas, “pupils in schools providing instruction in Slovene shall also learn Italian, and pupils in schools providing instruction in Italian shall also learn Slovene”.
 - Article 7 defines the protection of special rights of minorities, which is regulated by law.
- *Organisation and Financing of Education Act*³²:
 - One of the objectives of Slovenia’s education system is also “developing linguistic abilities and skills as well as the awareness of the status of the Slovene language as the language of the Republic of Slovenia; in areas defined as ethnically mixed, in addition to the Slovene language also preserving and developing the Italian and Hungarian language, respectively”.

Within the curriculum for the 9-year elementary school stipulating annual and weekly number of lessons for individual subjects or subject areas and the

³¹ Ur. l. RS Nos. 12/1996, ..., 102/2007.

³² Ur. l. RS Nos. 12/1996, ..., 36/2008.

minimum number of lessons required for the implementation of the syllabus, mutual understanding between all linguistic groups of the country is fostered particularly through the syllabus of the following subjects, where these topics are explicitly represented:

- *Slovene* (1st–9th grade of the 9-year elementary school),
- *Geography* (6th–9th grade of the 9-year elementary school),
- *History* (6th–9th grade of the 9-year elementary school),
- *Social Sciences* (5th–9th grade of the 9-year elementary school),
- *Civic Education and Ethics* (7th and 8th grades of the 9-year elementary school),
- elective subject *Civic Culture* (9th grade of the 9-year elementary school).

Pupils belonging to the majority population are taught mutual understanding among all linguistic groups of the country, e.g. during Slovene language lessons which also include respect for other languages and the command and use of individual forms of colloquial language (dialects/colloquial language of regions) among the general objectives for the first three-year cycle. The second three-year cycle introduces them to the special situation of the Italian and Hungarian languages in the Slovenian part of Istria and Prekmurje.

Respect, understanding and tolerance for regional or minority languages are encompassed in other subjects in the social sciences and humanities areas of elementary education both at the level of content and general objectives.

All the syllabuses are published on the web page http://www.mss.gov.si/si/delovna_podrocja/osnovnosolsko_izobrazevanje/programe_devetletne_osnovne_ole/obvezni_predmeti_v_devetletni_osnovni_soli/.

Second Report of the Committee of Experts on the Charter, paragraph 57

The content of textbooks is approved by the Council of Experts for General Education, after having been examined by the Textbook Commission. One of the conditions for approval of a textbook is its consistency with the objectives of the subject. E.g. the History syllabus in elementary school lists the following objectives:

“Pupils shall (...)

- Learn about understanding and respecting different cultures, religions, races and communities;
- Learn about cultural heritage in general and in the national context, about accepting European cultural and civilisation values, and about the importance of preserving Slovenian cultural traditions through examples from local history;
- Through examples from history, learn to accept important values for independent group work and life in a plural democratic society (tolerance, acceptance, pacifism, learn to be open for other opinions and to provide arguments for their own opinion, to cooperate and respect fundamental human rights and dignity).”

This shows that textbooks must contain elements developing democratic values, among them the respect for different cultures and communities, life in a multicultural society and mutual cooperation.

Through the in-service teacher training programme, the Ministry of Education and Sport each year co-finances several seminars on intercultural dialogue. Lately, intercultural dialogue has been given special focus with the introduction of new programmes which have been allocated considerable funding (projects to develop social and civic competencies including projects for the promotion of intercultural dialogue; training teachers in intercultural dialogue).

The Ministry of Education and Sport has commissioned a research project on the inclusion of regional and minority languages in the curriculum, teaching materials and teacher training programmes. Its results will be available in the first half of 2009.

Second Report of the Committee of Experts on the Charter, paragraphs 59 and 66

The new Radiotelevizija Slovenija Act³³ fulfilled the reasonable expectations of national communities and comments of the Slovenian Government Office for National Minorities on radio and television broadcasts for Roma.

Second Report of the Committee of Experts on the Charter, paragraph 63

Since 2005, the Ministry of Education and Sport adopts annual action plans for the implementation of the strategy which determine the allocated funds and projects to be implemented in a specific year. Apart from national funds, in 2008 the Ministry put forward a project worth 2 million euros, co-financed by the European Social Fund. The project is intended to finance the work of Roma assistants and the implementation of projects for learning about the culture and getting acquainted with the Romani language and culture. The Union of Roma of Slovenia is the project holder.

Second Report of the Committee of Experts on the Charter, paragraph 65

The Romani language is taught in the framework of the elective subject “Roma culture” in elementary school. It is also taught through school projects which receive additional funds from the Ministry. The relevant ministry also co-finances publications and Roma camps under the auspices of the Union of Roma of Slovenia, which focus on developing the Romani language. Romani language experts from abroad also attend Roma camps.

Second Report of the Committee of Experts on the Charter, paragraph 68

The relevant ministry succeeded in assuring the attendance of both Roma and Slovenian children in the Bršljin elementary school. The school was provided with additional teaching staff to ensure quality education for all pupils. Teachers at this

³³ Ur. l. RS Nos. 96/2005, ..., 105/2006.

school also receive more training and counselling by the National Education Institute. The school regularly reports on carrying out educational activities to the National Education Institute which has been monitoring its work for the last three years. In this period the National Education Institute has also formed a network of schools which exchange experience and good practices in working with Roma pupils.

Second Report of the Committee of Experts on the Charter, paragraph 69

Since 2004, the Ministry has co-financed a research project entitled “Standardization of the Romani Language in Slovenia and the Inclusion of Roma Culture in Education”. Since 2008 it has co-financed the drafting of a Roma culture textbook as well as other materials and teaching aids for teaching Romani language and culture.

2. Further measures envisaged to implement Article 7 of the Charter

Measures concerning the Italian and Hungarian national communities are included in the previously mentioned Proposal for a Resolution on the Italian and Hungarian National Communities in the Republic of Slovenia:

- Ensure the transparent work of state authorities which deal with both national communities;
- Ensure the consistent implementation of the special rights of the national communities in the Republic of Slovenia defined under the Constitution;
- Present an overview of the existing mechanisms that enable the exercise of the special rights of the national communities and their implementation;
- Assess the importance of the national communities’ contribution to the cultural diversity in the territory of the Republic of Slovenia;
- Enhance cooperation between the national communities and the state, aiming at the effective drawing of European funds;
- Strive for successful integration of the national communities into Slovenian society, with due regard for the preservation of their special features;
- Foster intercultural dialogue in the areas in which members of the national communities live and work;
- Propose, in the process of establishing regions as the second level of local self-government, that the national communities be represented in the regional representative body;
- Establish a partner relationship between the state, local communities, and the national communities in order to implement priority projects.

Measures concerning the Roma community are defined according to the Government Programme of Measures Assisting Roma.

PART III

1. The Charter was ratified by Slovenia’s National Assembly on 19 July 2000 (Ur. l. RS – MP, No. 17/2000 (Ur. l. RS No. 69/2000 of 4 August 2000)). Article 4 of the

Act Ratifying the Charter stipulates that upon depositing the instrument of ratification, the Republic of Slovenia shall inform the Secretary General of the Council of Europe that in the sense of the Charter, the Italian and Hungarian languages are regional or minority languages in the territory of the Republic of Slovenia and that in accordance with Article 2, paragraph 2 of the Charter, the Republic of Slovenia shall apply the paragraphs and sub-paragraphs from Part III of the Charter listed therein. After the deposit of the instrument of ratification and the note that the Republic of Slovenia fulfilled its obligation under Article 2, paragraph 2 of the Charter, in accordance with Article 4 of the Act Ratifying the Charter, as well as in the implementation of the Charter it has been established that certain obligations of Part III of the Charter will have to be chosen anew.

2. Taking into account that pursuant to Article 3, paragraph 2 of the Charter any Party may, at any subsequent time, notify the Secretary General that it accepts the obligations arising out of the provisions of any other paragraph of the Charter not already specified in its instrument of ratification, the Republic of Slovenia chose the obligations of Part III of the Charter in accordance with Article 2, paragraph 2 of the Charter which are, pursuant to Article 3, paragraph 3 of the Charter, deemed to form an integral part of ratification. At its session on 26 April 2007, the National Assembly adopted the Act Amending the Act Ratifying the Charter, which was published in Ur. l. RS – MP, No. 7/2007 (Ur. l. RS No. 44/2007).

3. In accordance with Article 2, paragraph 2 of the Charter, the Republic of Slovenia applies the following paragraphs and sub-paragraphs from Part III of the Charter for these two languages:

From Article 8:

for the Italian language: paragraph 1 a (i), b (i), c (i), d (i), e (iii), f (iii), g, h, i,

paragraph 2,

for the Hungarian language: paragraph 1 a (ii), b (ii), c (ii), d (ii), e (iii), f (iii), g, h, i,

paragraph 2.

From Article 9:

for the Italian and Hungarian languages: paragraph 1 a, b, c, d;
paragraph 2 a.

From Article 10:

for the Italian and Hungarian languages: paragraph 1 a (i), b, c,
paragraph 2,
paragraph 3 a,
paragraph 4,
paragraph 5.

From Article 11:

for the Italian and Hungarian languages: paragraph 1 a (i), e (i),
paragraph 2,
paragraph 3.

From Article 12:

for the Italian and Hungarian languages: paragraph 1 a, d, e, f;
paragraph 2,
paragraph 3.

From Article 13:

for the Italian and Hungarian languages: paragraph 1,
paragraph 2.

From Article 14:

for the Italian and Hungarian languages: sub-paragraphs a and b.

Article 8 – EDUCATION INTRODUCTION

The Republic of Slovenia has undertaken to apply the following paragraphs and sub-paragraphs:

for the Italian language: paragraph 1 a (i), b (i), c (i), d (i), e (iii), f (iii), g, h, i,

paragraph 2,

for the Hungarian language: paragraph 1 a (ii), b (ii), c (ii), d (ii), e (iii), f (iii), g, h, i,

paragraph 2.

Slovenia undertook to respect the provisions requiring the Parties:

“a (i) to make available pre-school education in the relevant regional or minority languages”, for Italian, and “(ii) to make available a substantial part of pre-school education in the relevant regional or minority languages”, for Hungarian.³⁴

As regards primary education, Slovenia has selected the provisions requiring the Parties:

“b (i) to make available primary education in the relevant regional or minority languages”, for Italian, and “(ii) to make available a substantial part of primary education in the relevant regional or minority languages”, for Hungarian.³⁵

Moreover, the Parties should provide adequate secondary education covered by sub-paragraph (c) of the Charter. Under this sub-paragraph, Slovenia undertook to respect the provisions requiring the Parties:

“c (i) to make available secondary education in the relevant regional or minority languages”, for Italian, and “(ii) to make available a substantial part of secondary education in the relevant regional or minority languages”, for Hungarian.³⁶

Commitments in the field of technical and vocational education are covered by Article 8, sub-paragraph (d) of the Charter. Slovenia undertook to implement two provisions requiring the Parties “(i) to make available technical and vocational education in the relevant regional or minority languages”, for Italian, or “(ii) to make available a substantial part of technical and vocational education in the relevant regional or minority languages”, for Hungarian.³⁷

University education is covered by Article 8, sub-paragraph (e). Slovenia selected the provision of item (iii), stipulating that if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied,

³⁴ European Charter for Regional or Minority Languages, Article 8, paragraphs 1, a (i) and 1, a (ii).

³⁵ European Charter for Regional or Minority Languages, Article 8, paragraphs 1, b (i) and 1, b (ii).

³⁶ European Charter for Regional or Minority Languages, Article 8, paragraphs 1, c (i) and 1, c (ii).

³⁷ European Charter for Regional or Minority Languages, Article 8, paragraphs 1, d (i) and 1, d (ii).

the Parties shall encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects.

The Charter also covers adult and continuing education. Slovenia selected provision (f) of item (iii), requiring the Parties “if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education”.³⁸

As regards Article 8, paragraph 1 Slovenia also undertook to implement sub-paragraph (g), requiring the Parties “to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language”³⁹, sub-paragraph (h) covering the commitments of the Parties “to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party”⁴⁰; finally, sub-paragraph (i) should also be mentioned, requiring the Parties “to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public”.⁴¹

Under Article 8 of the Charter, Slovenia also undertook to implement paragraph 2 offering the possibility to provide teaching also in territories other than those in which the regional or minority languages are traditionally used. The Parties undertook, in such cases, “to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education, if the number of users of a regional or minority language justifies it”.⁴²

Education for members of the Italian and Hungarian national communities is an integral part of the education system in the Republic of Slovenia. The objectives and methods for it are stipulated by the following acts and implementing regulations:

- Organisation and Financing of Education Act (Ur. l. RS Nos. 16/2007 – official consolidated text and 36/2008);
- Pre-school Institutions Act (Ur. l. RS Nos. 100/2005 – official consolidated text and 25/2008);
- Elementary School Act (Ur. l. RS Nos. 81/2006 – official consolidated text and 102/2007);
- Gimnazije Act (Ur. l. RS No. 1/2007 – official consolidated text);
- Vocational Education Act (Ur. l. RS No. 79/2006);
- Matura Examination Act (Ur. l. RS No. 15/2003);
- Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001);
- Rules on norms and standards for the implementation of the elementary school programme in bilingual elementary schools and elementary schools with Italian as

³⁸ European Charter for Regional or Minority Languages, Article 8, paragraph 1, f (iii).

³⁹ European Charter for Regional or Minority Languages, Article 8, paragraph 1, (g).

⁴⁰ European Charter for Regional or Minority Languages, Article 8, paragraph 1, (h).

⁴¹ European Charter for Regional or Minority Languages, Article 8, paragraph 1, (i).

⁴² European Charter for Regional or Minority Languages, Article 8, paragraph 2.

the language of instruction (Ur. l. RS Nos. 75/2005, 85/2006, 68/2007 and 73/2008);

- Rules on criteria and standards for bilingual secondary schools (Ur. l. RS Nos. 85/2003, 100/2007 and 67/2008);

- Rules on criteria and standards for secondary schools with Italian as the language of instruction (Ur. l. RS Nos. 85/2003, 103/2007 and 67/2008).

The following documents were adopted:

- Rules defining the education of teachers in nine-year bilingual elementary schools and nine-year elementary schools with Italian as the language of instruction (Ur. l. RS No. 35/2006).

The Rules define the required education for teachers in the 9-year bilingual elementary school and the 9-year elementary school with Italian as the language of instruction, provided they fulfil other conditions required by law, to carry out those parts of the programmes in which the curricula of the 9-year bilingual elementary school and the 9-year elementary school with Italian as the language of instruction include subjects different from the curriculum of the 9-year elementary school, or the law provides for the organisation of classes which differs from the programme of the 9-year elementary school. The Rules also determine the subjects for which teacher training programmes are provided.

- Rules on testing the knowledge of the teaching language in ethnically mixed areas (Ur. l. RS No. 100/2006).

The Rules stipulate the extent, subject matter and form of testing the knowledge of the teaching language for carrying out education in pre-school institutions and schools in the language of the national community or in bilingual pre-school institutions and schools for those teaching professionals who do not fulfil the conditions stipulated by the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education.

Education for members of national communities is an integral part of Slovenia's uniform education system in compliance with the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Article 2 (inclusion in the system): "Education for the members of the Italian and Hungarian national communities shall be an integral part of the system of education in the Republic of Slovenia and shall be carried out on the basis of regulations governing pre-school education, elementary schooling, lower and secondary vocational education, secondary technical education and general secondary education, unless otherwise stipulated by this Act.").⁴³ This means that the state must take care of maintaining and developing educational institutions and of their financing, together with the active participation of national communities or their organisations.⁴⁴ An important provision of the Organisation and Financing of Education Act should be mentioned, which states that a "self-governing national community shall co-found public pre-school institutions or schools which are established with the aim of

⁴³ Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001).

⁴⁴ Self-Governing National Communities Act (Ur. l. RS No. 65/1994), Article 4, item 3.

educating in the language of a national community or bilingually”.⁴⁵ Provisions on the participation of the members of national communities (self-governing national communities) in establishing and managing schools in the language of the national community are also included in the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (articles 12 and 13).⁴⁶

All elementary schools have established a system of borrowing out textbooks from the textbook fund for pupils. In the school year 2008/2009, free borrowing of textbooks from the textbook fund was introduced for all elementary school pupils (from the 1st to the 9th grade).

In secondary schools, textbook funds are optional; students pay a borrowing fee which must not exceed one third of the price of the textbook paid by the school.

In elementary schools, subsidised school meals are available to those pupils that, owing to their social status, cannot pay the whole price by themselves. Since the 2008/2009 school year, the Ministry also provides the funds for a daily warm meal to all secondary school students.

An advisory function is carried out by the units of the National Education Institute. The Institute, which is tasked with development and advisory activities, also provides teaching professionals from within the national communities for pre-school institutions and schools with Italian as the language of instruction and bilingual pre-school institutions and schools.

On the basis of bilateral agreements, both neighbouring countries concerned appoint an adviser for Italian and Hungarian, respectively. The adviser works within the National Education Institute, which provides adequate premises and technical assistance. The adviser is tasked with:

- Cooperation with expert institutions of the country concerned;
- Advisory and expert assistance to teachers with the emphasis on teaching the mother tongue of students and its use in fostering their national culture;
- Organisation of seminars and other in-service training activities for teachers;
- Cooperation in planning, organisation and attracting lecturers for seminars on pre-school, elementary school and secondary school education, organised by the National Education Institute of the Republic of Slovenia;
- Informing teachers of seminars held in their countries of origin and coordinating these seminars between the institutions with Italian as the language of instruction and bilingual institutions;
- Cooperation and organisation of in-class observation for professionals working at institutions with Italian as the language of instruction and bilingual institutions in their countries of origin;
- Acquainting teachers with new textbooks, teaching aids and literature from their countries of origin and providing them with suitable material;
- Cooperation and establishing links between schools and the exchange of pupils and students from both sides of the border;

⁴⁵ Organisation and Financing of Education Act (Ur. l. RS No. 115/2003 – official consolidated text).

⁴⁶ Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001).

- Cooperation in organising and guiding excursions and other activities intended for secondary school students and pupils of schools with Italian as the language of instruction or bilingual schools.
The adviser must also draw up an annual report.

In compliance with bilateral agreements, members of national communities also have the possibility to study at secondary schools and universities in their countries of origin, where in-service training of teachers is also provided.

Article 8 – EDUCATION **ITALIAN LANGUAGE**

As a result of different historical and other influences, Slovenia developed two different models of education for members of the Italian and Hungarian national communities. However, it has to be emphasised that both models have the same objectives: bilingualism and co-existence of both nations and cultures.

In the Littoral, education in Italian developed as a result of the existing situation upon the signing of the London Memorandum in 1954, when schools with Italian as the language of instruction existed *de facto* and *de jure* in this area. The Osimo Treaty signed between Yugoslavia and Italy summarised and consolidated all assumed international obligations between the two countries by that time. As a successor state to the former Socialist Federal Republic of Yugoslavia, Slovenia also succeeded to the Osimo Treaty and thus to all agreed obligations on minority education related to the Italian minority in Slovenia.

For the implementation of rights of members of the Italian national community in the field of pre-school, elementary, general secondary and secondary vocational education, pre-school institutions and schools with Italian as the language of instruction are established in accordance with the legislation in areas defined as ethnically mixed. The Slovene language is a compulsory subject in these schools. In pre-school institutions with Slovene as the language of communication children get acquainted with the Italian language; and in pre-school institutions with Italian as the language of communication children get acquainted with the Slovene language.⁴⁷ “The language of instruction in elementary schools using the language of a national community is Italian, and in bilingual elementary schools Slovenian and Hungarian.” (Article 6, paragraph 2)⁴⁸ An important provision in the Slovenian model of regulating this issue must be stressed, stating that the learning of the language of the national community is compulsory in educational institutions in the ethnically mixed area with Slovene as the language of instruction. (Article 111, paragraph 2: “In all Slovenian schools in the ethnically mixed area of the municipality, the Italian language shall be a compulsory subject in all grades.”)⁴⁹ Such an education model provides the members of the majority nation and the members of national communities with adequate knowledge of the

⁴⁷ Pre-school Institutions Act (Ur. l. RS Nos. 100/2005 – official consolidated text and 25/2008).

⁴⁸ Elementary School Act (Ur. l. RS Nos. 81/2006 – official consolidated text and 102/2007).

⁴⁹ Statute of the Koper Municipality (*Primorske novice*, *Uradne objave* Nos. 40/2000, 30/2001 and 29/2003; Ur. l. RS Nos. 90/2005, 67/2006 and 39/2008).

language of the other ethnic group, and is supported, as research shows, by majority of the population of the ethnically mixed area.⁵⁰

In these areas, there are three pre-school institutions, three elementary schools with affiliated schools, and three secondary schools with Italian as the language of instruction. After finishing secondary school, a small percentage of students find employment, while most of them continue their education at higher education institutions and faculties in Slovenia, and some also in Italy.

The data on pre-school institutions and schools in the ethnically mixed area for the school year 2007/08:

Pre-school Institution	Number of classes	Number of children	Average number of children per class
Pre-school Institution within the Dante Alighieri Elementary School, Izola	4	75	18.75
La Cocinella Pre-school Institution, Lucija - Giardino d'infanzia La Cocinella Lucia	6	93	15.42
Delfino Blu Pre-school Institution, Koper - Giardino d'infanzia Delfino Blu Capodistria	8	133	16.63
Total:	18	301	16.69

Source: Ministry of Education and Sport of the Republic of Slovenia

Elementary School	Number of classes	Number of pupils	Average number of pupils per class
Dante Alighieri Elementary School, Izola - Scuola elementare Dante Alighieri Isola	9	80	8.88
Pier Paolo Vergerio il Vecchio Elementary School, Koper - Scuola elementare Pier Paolo Vergerio il Vecchio Capodistria (total)	18	178	9.88
- Main school	11	126	
- Affiliated school in Samedela	2	16	
- Affiliated school in Bertoki	2	16	
- Affiliated school in Hrvatini	3	20	

⁵⁰ See e.g. the results of the research project Inter-Ethnic Relations and National Identity in the Slovenian Istria (Koper/Capodistria, Piran/Pirano, Izola/Isola): comparative analysis of national identity elements among the population of the contact areas in the border regions of Slovenia, Austria, Italy and Hungary, Ljubljana, INV, 1996.

Vincenzo e Diego de Castro Elementary School, Piran - Scuola elementare Vincenzo e Diego de Castro Pirano (total)	12	111	9.25
- Main school	5	46	
- Affiliated school in Lucija	3	44	
- Affiliated school in Sečovlje	4	21	
Total:	41	389	9.33

Source: Ministry of Education and Sport of the Republic of Slovenia

Secondary School	Number of classes	Number of students	Average number of students per class
Antonio Sema Grammar School, Piran - Ginnasio Antonio Sema Pirano	4	51	12.75
Gian Rinaldo Carli Grammar School, Koper - Ginnasio Gian Rinaldo Carli Capodistria	4	59	14.75
Pietro Coppo Secondary School, Izola - Scuola media Pietro Coppo Isola	11	85	7.73
Total:	19	195	10.26

Source: Ministry of Education and Sport of the Republic of Slovenia

Students of the Pietro Coppo Secondary School may follow programmes qualifying for a sales assistant, economics clerk, cook, waiter, administrative assistant and motor mechanic.

Students not attending a bilingual secondary school or a secondary school with Italian as the language of instruction, who wish to continue learning Hungarian or Italian, have the possibility to attend tuition free lessons in their mother tongue also outside the bilingual areas.

Article 9 of the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001) stipulates as follows:

“For the students and apprentices who have finished elementary school in the language of a national community or bilingual elementary school and who enrol in vocational schools, secondary technical schools, or grammar schools outside the ethnically mixed area, such schools must alone or together with other schools provide classes in the language of the national community as an optional subject. Courses in the language of the national community shall be provided if at least five students or apprentices wish to attend, and shall be tuition free. A group of students or apprentices may also consist of students or apprentices studying in different educational programmes in different schools in the same town.” Optional courses in the language of a national community outside the bilingual area are organised provided there is sufficient interest. There is currently no interest in optional courses in the Italian language.

For secondary general, vocational and technical education, 40 validated educational programmes to be carried out in the language of the national

community or bilingually in the ethnically mixed area were adopted in the year 2007/08. 20 of them were to be carried out in Italian as the language of instruction:

- secondary vocational education: 15 to be carried out in Italian as the language of instruction,
- secondary technical education: 1 to be carried out in Italian as the language of instruction,
- vocational and technical education: 1 to be carried out in Italian as the language of instruction,
- vocational course: 1 to be carried out in Italian as the language of instruction,
- general secondary education: 1 to be carried out in Italian as the language of instruction,
- *matura* course: 1 to be carried out in Italian as the language of instruction.

In the framework of calls for applications for co-financing adult education, the following programmes are included: “Education for active citizenship”, “Education of adults with special needs”, “Education of adult minority members and Roma” and “Education of elderly adults”.

Study activities and Italian for adults continue.

Mention should also be made of the fact that learning both the language of the majority nation and that of the Italian national community is included throughout the education process. Material on Italian history, culture and geography has been added to the relevant Slovenian syllabuses. Administrative procedures in schools, as well as business with the public and the students’ parents are conducted bilingually. Documents issued by certain other school institutions are also bilingual.

Further education and training of educational professionals is carried out in accordance with the Rules on in-service training of educational professionals (Ur. l. RS No. 64/2004). A catalogue of programmes is published every year, in which teachers and other professionals select a programme according to their own requirements and wishes.

The Italian language and literature may be studied at the Faculty of Arts of the University of Ljubljana (Department for Romance Languages and Literature) and the Faculty of Humanities of the University of Primorska (Italian name: Facoltà di Studi Umanistici di Capodistria) in Koper (Chair for Italian Studies within the Department for Applied Linguistics).

In the 2008/2009 academic year, there are 195 students of the Italian Language and Literature at the Faculty of Arts of the University of Ljubljana, and 100 students are enrolled in the Italian Studies programme at the Faculty of Humanities in Koper.

The Faculty of Education in Koper (Facoltà di Studi Educativi di Capodistria) offers two study courses, First-cycle teaching in elementary schools and Pre-school education, where students can choose the subject Italian as the language of the environment. It also offers a First-cycle teaching in elementary schools course adapted to the needs of Italian community schools with several subjects taught in Italian. In the current academic year, there was no interest for this course. However, in the 2008/2009 academic year, 25 students have enrolled in the

training programme for teachers of Italian in the first and second cycles of elementary schools, which provides them with the knowledge required for teaching Italian at the early school stages.

Cooperation with educational institutions of the nation of origin is also provided for in the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education.⁵¹ Article 4 of the Act (cooperation with the institutions of the nation of origin) reads: “To implement the objectives laid down in this Act and in compliance with bilateral agreements, public pre-school institutions and schools where the language of instruction is that of the national community and bilingual pre-school institutions and schools (hereinafter: pre-school institutions and schools) shall cooperate with relevant institutions of the nation of origin in the neighbouring countries.”

Members of the Italian national community may also study at the universities in Croatia (Rijeka, Pula) or in Italy, in the immediate proximity of the border. Should members of the Italian national community wish to use Italian as the language of studies in other, non-linguistic areas, they have to enrol at a university in Italy. The agreement on mutual recognition of degrees⁵² concluded between Slovenia and Italy in 1995 provides a legal framework implemented in both countries and facilitating the education of members of the Italian national community at universities in Italy, and, likewise, the education in Slovenia of members of the Slovenian national minority in Italy.

Article 8 – EDUCATION **HUNGARIAN LANGUAGE**

As a result of different historical and other influences, Slovenia developed two different models of education for members of Italian and Hungarian national communities. However, it has to be emphasised that both models have the same objectives: bilingualism and co-existence of both nations and cultures.

After World War II, initially, there was a similar system of separate schools in Prekmurje. In view of the fact that members of the Hungarian national community did not enrol their children in schools with Hungarian as the language of instruction in sufficient numbers, the state agreed with the Hungarian self-governing community to introduce a bilingual education model as the most sensible option. This also included all children of Slovenian nationality and in fact expanded the knowledge of the Hungarian language to the entire population of the bilingual area.

In the bilingual area of the municipalities of Hodoš, Šalovci, Moravske Toplice, Dobrovnik and Lendava, where the Hungarian national community lives, education in pre-school institutions (Article 5, paragraph 3: “In areas populated by Slovenes and members of the Hungarian national community, and defined as ethnically mixed areas, education is carried out in compliance with a special law

⁵¹ Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001).

⁵² Memorandum of Understanding on the Mutual Recognition of Slovenian and Italian Degrees and Professional Titles (Ur. l. RS-MP, No. 4/1996).

bilingually, in Slovene and Hungarian languages.”⁵³ and elementary schools (Article 6, paragraph 2: “The language of instruction in elementary schools using the language of a national community is Italian, and in bilingual elementary schools Slovene and Hungarian.”)⁵⁴ is carried out bilingually, in Slovene and Hungarian languages. These pre-school institutions and schools are attended by children or pupils of Slovenian and Hungarian nationalities. Such a method of work enables the pupils to learn a second language in addition to their mother tongue and become familiar with the culture of the other nation. Educational activities are carried out in both languages. When learning the mother tongue and the second language, pupils are divided into groups, which enables them to learn their mother tongue at an advanced level.

In these areas there are four bilingual pre-school institutions, five bilingual elementary schools with affiliated schools and one bilingual secondary school. They are attended by pupils and students of both Slovenian and Hungarian nationalities. Such a method of work enables the children to learn a second language in addition to their mother tongue and become familiar with the culture of the other nation. Educational activities are carried out in both languages. When learning the mother tongue and the second language, pupils are divided into groups, which enables them to learn their mother tongue at an advanced level. After completing elementary school, pupils may continue their education at the bilingual secondary school in Lendava.

The data on pre-school institutions and schools in the ethnically mixed area for the school year 2007/08:

Pre-school Institution	Number of classes	Number of children	Average number of children per class
Pre-school Institution within the Bilingual Elementary School Dobrovnik	2	37	18.50
Pre-school Institution within the Bilingual Elementary School Prosenjakovci	2	17	8.50
Lendava Pre-school Institution - Lendvai Óvoda	14	208	14.86
Moravske Toplice Pre-school Institution	1	9	9.00
Total:	19	271	14.26

Source: Ministry of Education and Sport of the Republic of Slovenia

Elementary School	Number of classes	Number of pupils	Average number of pupils per class
Bilingual Elementary School Lendava I			

⁵³ Pre-school Institutions Act (Ur. l. RS Nos. 100/2005 – official consolidated text and 25/2008).

⁵⁴ Elementary School Act (Ur. l. RS Nos. 81/2006 – official consolidated text and 102/2007).

(total) - 1. Sz. Lendvai Kétnyelvű Általános Iskola	35	587	16.77
- Main school	32	558	
- Affiliated school in Gaberje	3	29	
- Affiliated school in Petišovci	0	0	
- Affiliated school in Čentiba	0	0	
Bilingual Elementary School Lendava II (total) (elementary school with adapted programme) - II. Sz. Lendvai Kétnyelvű Általános Iskola	5	30	6.00
Bilingual Elementary School Genterovci - Göntérházi Kétnyelvű Általános Iskola	9	73	8.11
Bilingual Elementary School Dobrovnik - Kétnyelvű Általános Iskola, Dobronak	8	71	8.87
Bilingual Elementary School Prosenjakovci (total) - Kétnyelvű Általános Iskola, Pártosfalva	10	89	8.90
- Main school	8	76	
- Affiliated school in Domanjševci	1	6	
- Affiliated school in Hodoš	1	7	
Total:	73	997	9.73

Source: Ministry of Education and Sport of the Republic of Slovenia

Secondary School	Number of classes	Number of students	Average number of students per class
Bilingual Secondary School Lendava - Kétnyelvű Középiskola, Lendva	21	340	16.19

Source: Ministry of Education and Sport of the Republic of Slovenia

The Lendava Bilingual Secondary School carries out the *gimnazija* (grammar school) programme; in addition, students may also follow other programmes qualifying for a shop assistant, economics clerk and technician in mechanical engineering, cook, waiter, motor mechanic, mechanical fitter, tile setter, electrical engineering technician and metal worker.

Students not attending a bilingual secondary school or a secondary school with Italian as the language of instruction, who wish to continue learning Hungarian or Italian, have the possibility to attend tuition free lessons in their mother tongue also outside the bilingual areas.

Article 9 of the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001) stipulates as follows:

“For the students and apprentices who have finished elementary school in the language of a national community or bilingual elementary school and who enrol in vocational schools, secondary technical schools, or grammar schools outside the ethnically mixed area, such schools must alone or together with other schools provide classes in the language of the national community as an optional subject.

Courses in the language of the national community shall be provided if at least five students or apprentices wish to attend, and shall be tuition free. A group of students or apprentices may also consist of students or apprentices studying in different educational programmes in different schools in the same town.” Optional courses in the language of national community outside the bilingual area are organised provided there is sufficient interest. In the school year 2007/2008, optional courses in the Hungarian language were attended by 23 students in Murska Sobota, Rakičan and Radenci.

For secondary general, vocational and technical education, 40 validated educational programmes to be carried out in the language of the national community or bilingually in the ethnically mixed area were adopted in the year 2007/08. 20 of them were intended for bilingual education:

- secondary vocational education: 15 intended for bilingual education,
- secondary technical education: 2 intended for bilingual education,
- vocational and technical education: 1 intended for bilingual education,
- vocational course: 0 intended for bilingual education,
- general secondary education: 1 intended for bilingual education,
- *matura* course: 1 intended for bilingual education.

In the framework of calls for applications for co-financing adult education, the following programmes are included: “Education for active citizenship”, “Education of adults with special needs”, “Education of adult minority members and Roma” and “Education of elderly adults”.

Study activities and a programme for learning the Hungarian language for adults continue.

Mention should also be made of the fact that the Slovene and Hungarian languages are present throughout the education process. Material on Hungarian history, culture and geography has been added to the relevant Slovenian syllabuses. Most textbooks are bilingual. Administrative procedures in bilingual schools, as well as business with the public and the students’ parents are conducted bilingually. Moreover, the documents issued by bilingual educational institutions are bilingual.

Further education and training of educational professionals is carried out in accordance with the Rules on in-service training of educational professionals (Ur. l. RS No. 64/2004). A catalogue of programmes is published every year, in which teachers and other professionals select a programme according to their own requirements and wishes. Further training of teachers working in bilingual educational institutions is guaranteed by and carried out in compliance with the Agreement on Cooperation in the Fields of Culture, Education and Science between the Republic of Slovenia and the Republic of Hungary.⁵⁵

Members of the Hungarian national community may study the Hungarian language at the University of Maribor (Department for the Hungarian Language and Literature at the Faculty of Arts – composed of the Chair of Hungarian Language and Literature and a lectorship in the Hungarian language) and at the

⁵⁵ Agreement on Cooperation in the Fields of Culture, Education and Science between the Republic of Slovenia and the Republic of Hungary (Ur. l. RS-MP, No. 6/1993).

University of Ljubljana (lectorship in the Hungarian language within the Department for Comparative and General Linguistics at the Faculty of Arts).

In the 2008/2009 academic year, there are 13 students enrolled in the Hungarian language courses at the Faculty of Arts of the University of Maribor. Apart from that 25 students of other faculties attend a Hungarian language course. Each year, students have the possibility to attend a two-week language course at a summer university in Hungary. A Hungarian cultural club has been established within the Chair and the Department.

Education and training of teachers in bilingual pre-school institutions is provided at the Faculty of Education of the University of Maribor, since the same rules on the level of education apply to them as to other pre-school teachers. The same applies to elementary school teachers.

To fulfil other study wishes, students must attend universities in Hungary. Better possibilities for education of members of the Hungarian national community are guaranteed under the Agreement on Guaranteeing Special Rights of the Slovene Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia (Ur. l. RS - MP No. 6/1993), which provides for this possibility in Article 2: "The Signatories shall promote with particular attention the learning of and studying in their mother tongue in pre-school, elementary, secondary and higher education institutions and foster the knowledge of the culture, history and the present-day reality of the nations of origin and minorities. To this end, they shall endeavour to exchange experience in the field of minority education, particularly bilingual, and the alternative use of their respective textbooks. The Signatories shall promote the exchange of teachers and students, sending textbooks, teaching aids and teaching equipment, organisation of courses and professional training, mutual granting of state and foundation scholarships for undergraduate and postgraduate education, especially education for teachers and theologians. In addition, they shall encourage the study and learning of the language, culture and history of national minorities and their nations of origin by individuals belonging to the majority nation."⁵⁶

The possibilities for study are also provided for in the Agreement on Cooperation in the Fields of Culture, Education and Science between the Republic of Slovenia and the Republic of Hungary concluded by the two countries in 1992⁵⁷. This Agreement also served as a basis for drafting the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Hungary on Mutual Recognition of Certificates and Degrees, signed by the two countries in 1999. Slovenia ratified the Agreement on 10 May 2000 and it was published in Ur. l. RS No. 44/2000.

Cooperation with educational institutions of the nation of origin is also provided for in the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education.⁵⁸ Article 4 of the Act (cooperation with the institutions of the nation of origin) reads: "To implement the objectives laid down in this Act and in compliance with bilateral agreements, public pre-school institutions and schools where the language of instruction is that

⁵⁶ Agreement Guaranteeing Special Rights of the Slovene Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia (Ur. l. RS-MP, No. 6/1993)

⁵⁷ Agreement on Cooperation in the Fields of Culture, Education and Science between the Republic of Slovenia and the Republic of Hungary (Ur. l. RS-MP, No. 6/1993).

⁵⁸ Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001).

of the national community and bilingual pre-school institutions and schools (hereinafter: pre-school institutions and schools) shall cooperate with relevant institutions of the nation of origin in the neighbouring countries.” Therefore, pre-school teachers as well as other teachers can attend training in relevant institutions in Hungary.

ADDITIONAL CLARIFICATIONS

Additional clarifications to certain questions of the Committee of Experts regarding the application of Article 8 of the Charter:

Second Report of the Committee of Experts on the Charter, paragraphs 83–87 and 144–148

As already stated in the Comments on the Second Report of the Committee of Experts, members of the Italian and Hungarian nationalities are actively cooperating in the educational process in accordance with the school legislation.

The highest expert authority in the field of education is the Council of Experts for General Education of the Republic of Slovenia, which, *inter alia*, lays down educational programmes for members of the Italian and Hungarian national communities, and provides expert assistance in adopting decisions and drafting regulations.

Article 7 of the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS Nos. 35/2001, 102/2007) stipulates as follows:

“Prior to the adoption or determination of programmes under Article 5 of this Act, the competent council of experts must acquire the opinion of the competent body of the Italian and/or Hungarian self-governing national community in the Republic of Slovenia.

The competent council of experts cannot adopt or determine an educational programme without the agreement of the council members representing the Italian and/or Hungarian self-governing community.”

A committee for minority education has been established within the Council of Experts for General Education, and is composed of three members. Two of them are representatives of both national communities and at the same time members of the Council of Experts. The committee deals with issues relating to education in ethnically mixed areas populated by the Italian and Hungarian national communities. At the same time, the committee passes opinions to the Council of Experts regarding the adoption of syllabuses, curricula, adaptation of programmes, etc. in these areas.

Article 24 of the same Act stipulates:

“The minister responsible for education must acquire the consent of the competent body of the Italian and/or Hungarian self-governing national community in the Republic of Slovenia concerning norms and standards which form the basis for the financing of public pre-school institutions and schools

with Italian as the language of instruction and public bilingual pre-school institutions and schools.”

Prior to the adoption of the Rules on norms and standards serving as a basis for the organisation and financing of bilingual elementary schools and schools with Italian as the language of instruction in ethnically mixed areas from the state budget, both self-governing national communities gave their consent in compliance with the Act.

An advisory function is carried out by the units of the National Education Institute. The Institute also provides teaching professionals from within the national communities for pre-school institutions and schools with Italian as the language of instruction and bilingual pre-school institutions and schools.

The Inspectorate of the Republic of Slovenia for Education and Sport is responsible for monitoring the implementation of laws, other regulations and acts in all educational institutions in the Republic of Slovenia under the School Inspection Act (Ur. l. RS No. 114/2005 – official consolidated text). As regards the financing of national communities in the field of education, the Ministry of Education and Sport every year submits reports and substantive clarifications to the Slovenian Government Office for National Minorities.

Slovenia reiterates that the establishment of a special supervisory body would be rational neither from financial nor from the expert point of view, as the implementation of regulations governing the organisation and carrying out of education activities in pre-school institutions and schools is supervised by the Inspectorate for Education and Sport.

The implementation of the constitutional and statutory provisions relating to the special rights of members of the Italian and Hungarian national communities is monitored by the Government Office for National Minorities, whereas the representatives of national communities participate in accordance with education legislation in the decision-making and implementation of tasks relating to their status in education.

To ensure a faster and better flow of information, the relevant Ministry requested the National Education Institute to include in its annual work plan, as one of the tasks concerning education of members of both national communities, regular monitoring of education in pre-school institutions, elementary and secondary schools in ethnically mixed areas and to report on its findings annually.



Article 9 - JUDICIARY **ITALIAN LANGUAGE**

The Republic of Slovenia has undertaken to apply the following paragraphs and/or sub-paragraphs in respect of the Italian language:

- paragraph 1 a, b, c, d;
- paragraph 2 a.

According to data provided by the Local Court of the ethnically mixed area in Koper, 4 civil cases and 4 execution proceedings were conducted in the Italian language until November 2002. Final decisions have already been issued for all of them. Five judges have completed a course in the Italian language (active language skills). No other employee of the Court has taken a special exam in the Italian language.

The use of the languages of the national communities in the operation of judicial institutions in Slovenia is clearly defined in the Courts Act (Ur. l. RS Nos. 19/1994, ..., 45/2008), Article 5, which reads as follows: "In the areas in which the autochthonous Italian and Hungarian national communities live, the business of the court shall be conducted in the Italian or Hungarian language if a party who lives on that territory uses the Italian or Hungarian language. If a court of higher instance adjudicates on legal remedies in matters in which the court of lower instance conducted a proceeding also in the Italian or Hungarian language, the decision shall be issued in translation in the Italian or Hungarian language."

Provisions on the use of language may also be found in the Civil Procedure Act (Article 104: "Parties and other persons involved in the proceedings shall file actions, appeals and other applications in the Slovene language or in the languages of national communities officially used by the court")⁵⁹ and in the Notary Act (Article 13: "In areas in which the Italian and Hungarian languages are spoken officially, the notary shall draw up notarial deeds, in cases when a party uses the Italian or Hungarian language, in both official languages")⁶⁰. In areas in which the Italian and Hungarian languages are spoken officially, the parties may submit such a notarial deed to the court without translation. Parties to the proceedings may also refer to foreign public documents. The Civil Procedure Act (Ur. l. RS No. 36/2004), Article 225, stipulates that *unless otherwise provided by an international agreement, public documents which have been issued in foreign states and are certified according to the regulations shall have the same effect of proof as the domestic ones, provided that reciprocity is recognized in this respect*. Foreign public documents drawn up in the Italian or Hungarian language may be submitted without a Slovene translation to the court having jurisdiction in the area where the two national communities live.

Provisions on the use of language may also be found in the State Prosecutor's Office Act (Article 6: "A State Prosecutor's Office shall conduct its work in the Slovene language. In the areas in which the autochthonous Italian or Hungarian national communities live, state prosecutor's offices shall also conduct their work in the Italian and Hungarian languages, respectively if proceedings before a court or before another state body are conducted in the respective language, or if a party living in such area uses that language in dealings with the State Prosecutor's Office.")⁶¹ and the Criminal Procedure Act (Article 4: "(1) Any person deprived of freedom shall be advised immediately, in his mother tongue or in a language he understands, of the reasons for his loss of freedom. A person deprived of freedom shall immediately be instructed that he is not bound to make any statements, that he is entitled to the legal assistance of a lawyer of his own choice and that the

⁵⁹ Civil Procedure Act (Ur. l. RS Nos. 26/1999, ..., 45/2008).

⁶⁰ Notary Act (Ur. l. RS Nos. 13/1994, ..., 45/2008).

⁶¹ State Prosecutor's Office Act (Ur. l. RS Nos. 63/1994, ..., 57/2007).

competent body is bound to inform, upon his request, his immediate family of his being deprived of freedom.”; Article 6: “(1) If, in accordance with the Constitution, the language of the Italian or Hungarian national community is also used as the official language of the court, criminal proceedings may be conducted in the languages of these communities in the manner defined by law.”; Article 7: “(2) *In those areas in which members of the Italian or Hungarian national community reside, members of these national communities shall be allowed to file applications in the Italian or Hungarian language if either language is used as the official language of the court.*”; Article 9: “(2) *Those courts in which the Italian or Hungarian language is in official use shall also serve summons in the Italian or Hungarian language; court decisions and other writs shall be served in the Italian or Hungarian language only where the procedure is conducted in both official languages. Parties to proceedings may waive having court decisions and other writs served on them in the Hungarian or Italian language. The waiver should be recorded in the minutes.*” “(3) A person who has been deprived of freedom shall be served the writs referred to in the first paragraph of this Article in the language which he uses in the proceedings, unless he has waived the right to translation consistent with the second paragraph of the preceding Article of the present Act.”; Article 92: “(5) The costs of translation into the Slovene, Italian or Hungarian language, arising in connection with the exercising, under the Constitution and the present Act, of the right of members of the Italian and Hungarian national communities to use their own languages, shall not be charged against those who, under the provisions of the present Act, are obliged to refund the costs of criminal proceedings.”⁶².

Finally, there are the provisions on conducting the business of courts in ethnically mixed areas. In Slovenia, this is determined by the Court Rules (Article 30: “In bilingual areas, all inscriptions shall also be made in the Italian or Hungarian language”; Article 60: “In the areas in which the autochthonous Italian and Hungarian national communities reside and in which the Constitution and law stipulate the equal use of the Italian or Hungarian language, the courts shall ensure the equality of the Italian or Hungarian language in the proceedings, in compliance with the law, if a party to the proceedings, living in this area, uses the Italian or Hungarian language.”; Article 61: “If there is only one party to the proceedings or if both parties to the proceedings use the same language, the proceedings shall be conducted in that language. *If there are two parties to the proceedings, with one using the Slovene language and the other the Italian or Hungarian language, the proceedings shall be conducted in the Slovene and in the Italian or Hungarian languages (hereinafter: bilingual proceedings). The court shall act in the same manner if the application instituting the proceedings is drawn up in the Slovene language and the party states before the beginning of the proceedings that they use the Italian or Hungarian language. As soon as it is established by the court on the basis of the application with which the party institutes the proceedings or on the basis of a statement by the party that the proceedings must be conducted in the Italian or Hungarian language or that bilingual proceedings are required, this shall be recorded in the appropriate register and on the cover of the file (“It.” or “Ma.”).*”

⁶² Criminal Procedure Act (Ur. l. RS Nos. 63/1994, ..., 89/2008).

In case the provisions of the law or the Court Rules stipulate that the proceedings must be conducted in the Italian or Hungarian language and the parties state that the proceedings should be conducted in the Slovene language, the proceedings shall be conducted in that language. The party must make such a statement on the record”; Article 62: “If the proceedings are conducted only in the Italian or Hungarian language or if bilingual proceedings are conducted, the court communicates, during the proceedings, with parties to the proceedings and others involved in it, in their mother tongue. In case a party to the proceedings does not understand the language in which the proceedings are conducted, he/she must be guaranteed interpreting of everything that he/she or others say as well as of the documents and other written evidence.”; Article 63: “If the proceedings are conducted in the Italian or Hungarian language, the minutes shall be taken down in that language. If there is a party to the proceedings who does not speak the Italian or Hungarian language, his/her testimony or statement shall be recorded in the official language in which the proceedings are conducted.”; Article 64: “The minutes in the event of bilingual court proceedings shall be taken down in the language used by the parties to the proceedings and other persons involved. Each allegation, testimony or statement must be interpreted consecutively and taken down in the Slovene and Italian or Hungarian languages.”; Article 65: “Court decisions in the proceedings which are conducted in the Italian or Hungarian language and court decisions in bilingual proceedings shall always be issued in the Slovene language as well as in the Italian and Hungarian languages, respectively. Decisions in both languages are originals and shall be served on the parties in both languages.”.

Article 66: “If in the proceedings conducted in the Italian or Hungarian language or in bilingual proceedings an ordinary or extraordinary remedy is sought, the court of first instance shall, prior to the submission of the file, provide the Slovene translation of the remedy and of the entire file. Higher courts and the Supreme Court of the Republic of Slovenia shall, when deciding on ordinary or extraordinary remedies, in which the proceedings were conducted by the court of first instance also in the Italian or Hungarian language, issue their decisions in translation into the Italian or Hungarian language.”; Article 67: “The costs incurred by the proceedings conducted in the Italian or Hungarian language, i.e. by bilingual proceedings, shall be covered by the funds allocated for the work of the court and shall not be borne by the parties.”; Article 68: “The ministry responsible for justice shall organize the training of judges and court personnel for conducting bilingual proceedings. Bilingual proceedings may be conducted only by a judge or a professional who has successfully passed a special exam in Italian or Hungarian in the Republic of Slovenia, or if the candidate concluded similar training abroad or obtained a valid public document attesting an advanced level of language skills in the Italian or Hungarian language on the basis of a certified education programme or if he/she is included in the list of permanent court interpreters for either language. In courts which have no judges with good command of the Italian or Hungarian language, bilingual proceedings shall be conducted with the assistance of a court interpreter. As regards court personnel participating in bilingual proceedings, it is sufficient if they have acquired a valid public document attesting the elementary level language skills in Italian or Hungarian on the basis of a certified education programme.”; Article 69: “The bonus for the qualifications of the judge and of court personnel for conducting

bilingual proceedings shall be determined by the judicial council.”; Article 101 (*Form and furnishing of court writs*): “The Court shall consider the form and legibility of court writs; the court writs must be drawn up clearly and in the Slovene language. The law and the Court Rules set out the cases when court writs have to be drawn up in the Italian or Hungarian language as well.”⁶³; in Chapter 5 “Conducting of business of a court in the areas in which the autochthonous Italian and Hungarian national communities reside”. In compliance with the existing provisions, courts in ethnically mixed areas must guarantee equality of the Italian and Hungarian languages under the law if a party living in this area uses the Italian or Hungarian language. The proceedings before courts may be conducted monolingually if there is only one party involved or if both parties to the proceedings use the same language (the proceedings may be conducted only in the Italian or Hungarian or Slovene language). In case a party to the proceedings does not understand the language in which the proceedings are conducted, he/she must be guaranteed interpreting of everything that he/she or others say as well as of the documents and other written evidence. In case the proceedings involve parties one of whom uses the Slovene language and the other the Italian or Hungarian language, the proceedings shall be conducted in the Slovene and Hungarian or Italian languages (bilingual proceedings). The court shall act in the same manner if the application instituting the proceedings is drawn up in the Slovene language and the party states, before the beginning of the proceedings, that they use the Italian or Hungarian language. During the proceedings, the court communicates with parties in their mother tongue. The same principle shall apply when taking down the minutes: if the proceedings are conducted in the Italian or Hungarian language, the minutes shall be taken down in that language. The minutes in bilingual proceedings shall be drawn up in the language used by the parties to the proceedings and others involved in it. Each statement or testimony must be interpreted consecutively and taken down in the Slovene and Italian or Hungarian languages.

In the proceedings conducted in the Italian or Hungarian language and in bilingual proceedings, court decisions shall thus always be issued in the Slovene language and in the Italian or Hungarian language. Decisions in both languages are originals and shall be served on the parties in both languages. Last but not least, higher courts and the Supreme Court of the Republic of Slovenia must have their decisions translated into the Italian or Hungarian language when deciding on ordinary or extraordinary remedies, in which the court of first instance conducted the proceedings also in either language. The costs incurred by bilingual proceedings shall be covered by the funds allocated for the work of the court and shall not be borne by the parties. Bilingual proceedings may be conducted only by a judge or professional having high-level language skills in Italian or Hungarian. The provisions shall also apply to the court personnel participating in bilingual proceedings. Qualifications for conducting bilingual proceedings shall be awarded with a special bonus.

Provisions for the use of language may also be found in some municipal statutes (Article 112: “In the ethnically mixed area of the municipality, criminal and other proceedings shall be conducted bilingually in compliance with the law.

⁶³ Court Rules (Ur. l. RS Nos. 17/1995, ..., 16/2008).

Proceedings involving several parties of both ethnicities shall be conducted in the Slovene or Italian language or bilingually. State authorities, administrative and other municipal authorities, courts and other bearers of public authority issuing legal and other documents in certain procedures laid down by law are obliged to issue these documents to members of the Italian national community in both languages and to other citizens, provided they so request. In cases under the foregoing paragraph, both texts shall be considered as originals.”⁶⁴

Article 9 - JUDICIARY **HUNGARIAN LANGUAGE**

The Republic of Slovenia has undertaken to apply the following paragraphs and/or sub-paragraphs in respect of the Hungarian language:

- paragraph 1 a, b, c, d;
- paragraph 2 a.

According to data provided by the Lendava Local Court (ethnically mixed area), two judges have been employed at this court since 2007, i.e. a judge and the president of the Court, both with active knowledge of the Hungarian language; the president of the Court has also passed an exam on active knowledge of the Hungarian language and may thus conduct proceedings in the Hungarian language; court personnel at the Lendava Local Court has active knowledge of the Hungarian language as well. From 1999 to 2008, 565 court decisions were issued and 545 hearings held in the Hungarian language. The Lendava Local Court has employed an interpreter for the Hungarian language, who assists in conducting proceedings and issuing court decisions.

The use of the languages of the national communities in the operation of judicial institutions in Slovenia is clearly defined in the Courts Act (Ur. l. RS Nos. 19/1994 ... 45/2008), Article 5, which reads as follows: “In the areas in which the autochthonous Italian and Hungarian national communities live, the business of the court shall be conducted in the Italian or Hungarian language if a party who lives on that territory uses the Italian or Hungarian language. If a court of higher instance adjudicates on legal remedies in matters in which the court of lower instance conducted a proceeding also in the Italian or Hungarian language, the decision shall be issued in translation in the Italian or Hungarian language.”

Provisions on the use of language may also be found in the Civil Procedure Act (Article 104: “Parties and other persons involved in the proceedings shall file actions, appeals and other applications in the Slovene language or in the languages of national communities officially used by the court”)⁶⁵ and in the Notary Act (Article 13: “In areas in which the Italian and Hungarian languages are spoken officially, the notary shall draw up notarial deeds, in cases when a party uses the Italian or Hungarian language, in both official languages”)⁶⁶. In areas in which the Italian and Hungarian languages are spoken officially, the parties may submit such a notarial deed to the court without translation. Parties to the proceedings

⁶⁴ Statute of the Koper Municipality (Ur. l. RS No. 40/2000).

⁶⁵ Civil Procedure Act (Ur. l. RS Nos. 26/1999, ..., 45/2008).

⁶⁶ Notary Act (Ur. l. RS Nos. 13/1994, ..., 45/2008).

may also refer to foreign public documents. The Civil Procedure Act (Ur. l. RS No. 36/2004), Article 225, stipulates that *unless otherwise provided by an international agreement, public documents which have been issued in foreign states and are certified according to the regulations shall have the same power of proof as the domestic ones, provided that reciprocity is recognized in this respect.* Foreign public documents drawn up in the Italian or Hungarian language may be submitted without a Slovene translation to the court having jurisdiction in the area where the two national communities live.

Provisions on the use of language may also be found in the State Prosecutor's Office Act (Article 6: "A State Prosecutor's Office shall conduct its work in the Slovene language. In the areas in which the autochthonous Italian or Hungarian national communities live, state prosecutor's offices shall also conduct their work in the Italian and Hungarian languages, respectively if proceedings before a court or before another state body are conducted in the respective language, or if a party living in such area uses that language in dealings with the State Prosecutor's Office.")⁶⁷ and in the Criminal Procedure Act (Article 4: "(1) *Any person deprived of freedom shall be advised immediately, in his mother tongue or in a language he understands, of the reasons for his loss of freedom.* A person deprived of freedom shall immediately be instructed that he is not bound to make any statements, that he is entitled to the legal assistance of a lawyer of his own choice and that the competent body is bound to inform, upon his request, his immediate family of his being deprived of freedom."; Article 6: "(1) If in accordance with the Constitution the language of the Italian or Hungarian national community is also used as the official language of the court, criminal proceedings may be conducted in the languages of these communities in the manner defined by law."; Article 7: "(2) *In those areas in which members of the Italian or Hungarian national community reside, members of these national communities shall be allowed to file applications in the Italian or Hungarian language if either language is used as the official language of the court.*"; Article 9: "(2) *Those courts in which the Italian or Hungarian language is in official use shall also serve summons in the Italian or Hungarian language; court decisions and other writs shall be served in the Italian or Hungarian language only where the procedure is conducted in both official languages. Parties to proceedings may waive having court decisions and other writs served on them in the Hungarian or Italian language. The waiver should be recorded in the minutes.*" (3) A person who has been deprived of freedom shall be served the writs referred to in the first paragraph of this Article in the language which he uses in the proceedings, unless he has waived the right to translation consistent with the second paragraph of the preceding Article of the present Act."; Article 92: "(5) The costs of translation into the Slovene, Italian or Hungarian language arising in connection with the exercising, under the Constitution and the present Act, of the right of members of the Italian and Hungarian national communities to use their own languages, shall not be charged against those who, under the provisions of the present Act, are obliged to refund the costs of criminal proceedings.")⁶⁸.

⁶⁷ State Prosecutor's Office Act (Ur. l. RS Nos. 63/1994, ..., 57/2007).

⁶⁸ Criminal Procedure Act (Ur. l. RS Nos. 63/1994, ..., 89/2008).

Finally, there are the provisions on conducting the business of courts in ethnically mixed areas. In Slovenia, this is determined by the Court Rules (Article 30: “In bilingual areas, all inscriptions shall also be made in the Italian or Hungarian language”; Article 60: “In the areas in which the autochthonous Italian and Hungarian national communities reside and in which the Constitution and law stipulate the equal use of the Italian or Hungarian language, the courts shall ensure the equality of the Italian or Hungarian language in the proceedings, in compliance with the law, if a party to the proceedings, living in this area, uses the Italian or Hungarian language.”; Article 61: “If there is only one party to the proceedings or if both parties to the proceedings use the same language, the proceedings shall be conducted in that language. *If there are two parties to the proceedings, with one using the Slovene language and the other the Italian or Hungarian language, the proceedings shall be conducted in the Slovene and in the Italian or Hungarian languages (hereinafter: bilingual proceedings). The court shall act in the same manner if the application instituting the proceedings is drawn up in the Slovene language and the party states before the beginning of the proceedings that they use the Italian or Hungarian language. As soon as it is established by the court on the basis of the application with which the party institutes the proceedings, or on the basis of a statement by the party, that the proceedings must be conducted in the Italian or Hungarian language or that bilingual proceedings are required, this shall be recorded in the appropriate register and on the cover of the file (“It.” or “Ma.”).*

In case the provisions of the law or the Court Rules stipulate that the proceedings must be conducted in the Italian or Hungarian language and the parties state that the proceedings should be conducted in the Slovene language, the proceedings shall be conducted in that language. The party must make such a statement on the record”; Article 62: “If the proceedings are conducted only in the Italian or Hungarian language, or if bilingual proceedings are conducted, the court communicates, during the proceedings, with parties to the proceedings and others involved in it, in their mother tongue. In case a party to the proceedings does not understand the language in which the proceedings are conducted, he/she must be guaranteed interpreting of everything that he/she or others say as well as of the documents and other written evidence.”; Article 63: “If the proceedings are conducted in the Italian or Hungarian language, the minutes shall be taken down in that language. If there is a party to the proceedings who does not speak the Italian or Hungarian language, his/her testimony or statement shall be recorded in the official language in which the proceedings are conducted.”; Article 64: “The minutes in the event of bilingual court proceedings shall be taken down in the language used by the parties to the proceedings and other persons involved. Each allegation, testimony or statement must be interpreted consecutively and taken down in the Slovene and Italian or Hungarian languages.”; Article 65: “Court decisions in the proceedings which are conducted in the Italian or Hungarian language and court decisions in bilingual proceedings shall always be issued in the Slovene language as well as in the Italian and Hungarian languages, respectively. Decisions in both languages are originals and shall be served on the parties in both languages.”

Article 66: “If in the proceedings conducted in the Italian or Hungarian language or in bilingual proceedings an ordinary or extraordinary remedy is sought, the

court of first instance shall, prior to the submission of the file, provide the Slovene translation of the remedy and of the entire file. Higher courts and the Supreme Court of the Republic of Slovenia shall, when deciding on ordinary or extraordinary remedies, in which the proceedings were conducted by the court of first instance also in the Italian or Hungarian language, issue their decisions in translation into the Italian or Hungarian language.”; Article 67: “The costs incurred by the proceedings conducted in the Italian or Hungarian language, i.e. by bilingual proceedings, shall be covered by the funds allocated for the work of the court and shall not be borne by the parties.”; Article 68: “The ministry responsible for justice shall organize the training of judges and court personnel for conducting bilingual proceedings. Bilingual proceedings may be conducted only by a judge or a professional who has successfully passed a special exam in Italian or Hungarian in the Republic of Slovenia, or if the candidate concluded similar training abroad or obtained a valid public document attesting an advanced level of language skills in the Italian or Hungarian language on the basis of a certified education programme or if he/she is included in the list of permanent court interpreters for either language. In courts which have no judges with good command of the Italian or Hungarian language, bilingual proceedings shall be conducted with the assistance of a court interpreter. As regards court personnel participating in bilingual proceedings, it is sufficient if they have acquired a valid public document attesting the elementary level language skills in Italian or Hungarian on the basis of a certified education programme.”; Article 69: “The bonus for the qualifications of the judge and of court personnel for conducting bilingual proceedings shall be determined by the judicial council.”; Article 101 (*Form and furnishing of court writs*): “The Court shall consider the form and legibility of court writs; the court writs must be drawn up clearly and in the Slovene language. The law and the Court Rules specify the cases when court writs have to be drawn up in the Italian or Hungarian language as well”⁶⁹ in Chapter 5 “Conducting of business of a court in the areas in which the autochthonous Italian and Hungarian national communities reside”. In compliance with the existing provisions, courts in ethnically mixed areas must guarantee the equality of the Italian and Hungarian languages under the law if a party living in this area uses the Italian or Hungarian language. The proceedings before the courts may be conducted monolingually if there is only one party involved or if both parties to the proceedings use the same language (the proceedings may be conducted only in the Italian or Hungarian or Slovene language). In case a party to the proceedings does not understand the language in which the proceedings are conducted, he/she must be guaranteed interpreting of everything that he/she or others say as well as of the documents and other written evidence. In case the proceedings involve parties one of whom uses the Slovene language and the other the Italian or Hungarian language, the proceedings shall be conducted in the Slovene and Hungarian or Italian languages (bilingual proceedings). The court shall act in the same manner if the application instituting the proceedings is drawn up in the Slovene language and the party states before the beginning of the proceedings that they use the Italian or Hungarian language. During the proceedings, the court communicates with parties in their mother tongue. The same principle shall apply when taking down the minutes: if the proceedings are conducted in the Italian or Hungarian language, the minutes shall be taken down in that language. The

⁶⁹ Court Rules (Ur. l. RS Nos. 17/1995, ..., 16/2008).

minutes in bilingual proceedings shall be drawn up in the language used by the parties to the proceedings and others involved in it. Each statement or testimony must be interpreted consecutively and taken down in the Slovene and Italian or Hungarian languages.

In the proceedings conducted in the Italian or Hungarian language and in bilingual proceedings, court decisions shall thus always be issued in the Slovene language and in the Italian or Hungarian language. Decisions in both languages are originals and shall be served on the parties in both languages. Last but not least, higher courts and the Supreme Court of the Republic of Slovenia must have their decisions translated into the Italian or Hungarian language when deciding on ordinary or extraordinary remedies, in which the court of first instance conducted the proceedings also in either language. The costs incurred by bilingual proceedings shall be covered by the funds allocated for the work of the court and shall not be borne by the parties. Bilingual proceedings may be conducted only by a judge or a professional having high-level language skills in Italian or Hungarian. The provisions shall also apply to the court personnel participating in bilingual proceedings. Qualifications for conducting bilingual proceedings shall be awarded with a special bonus.

Provisions for the use of language may also be found in some municipal statutes (Article 69: “The official languages in the ethnically mixed area of the municipality shall be Slovene and Hungarian. *Both languages shall have equal status.* Citizens of Hungarian nationality shall be guaranteed the use of their mother tongue in public and social life.” Article 70: “The municipal authorities and all public services in the ethnically mixed area of the municipality shall operate in the Slovene and Hungarian languages. *In their work they must respect the official names and surnames of members of the Hungarian national community.* The municipal authorities, state authorities, public companies and institutions in the ethnically mixed area shall use bilingual signs, seals, stamps, printed matter and other forms, in accordance with the law”.⁷⁰

Article 10: ADMINISTRATIVE AUTHORITIES AND PUBLIC SERVICES **ITALIAN LANGUAGE**

The Republic of Slovenia has undertaken to apply the following paragraphs and/or sub-paragraphs in respect of the Italian language:

for the Italian and Hungarian languages: paragraph 1 a (i), b, c,
paragraph 2,
paragraph 3 a,
paragraph 4,
paragraph 5.

Slovenia has chosen the following structure to fulfil the obligations assumed.

Bilingual signs

⁷⁰ Statute of the Lendava Municipality (Ur. l. RS No. 26/1999).

The first (visible) indicator of the implementation of the right to the free use of language is the stipulations concerning visible bilingualism in toponymy, signposts, announcements, notices, warnings, etc. In the ethnically mixed area, the provisions on visible bilingualism are implemented without any numerical limitations on the basis of legislation (Article 9: “(3) Names of settlements must be in the Slovene language. In the area of the municipalities, where in addition to the Slovene language, the Italian or Hungarian language is used as the official language, the names of settlements shall be in the Slovene and Italian or Hungarian languages.”; Article 20: “(5) Names of streets must be in the Slovene language. In the area of the municipalities, in which, in addition to the Slovene language, the Italian or Hungarian language is used as the official language, the names of streets shall be in the Slovene and Italian or Hungarian languages.”)⁷¹ and municipal documents; e.g. the Statute of the Koper Municipality: Decree on the Implementation of Bilingualism in the Ethnically Mixed Area (Primorske novice, Uradne objave No. 22/1998), Article 6, paragraph 4: “All inscriptions on signposts, signboards, additional traffic signs, destination boards, official designations of streets, stations and stops of public passenger transport (bus, taxi, rail, maritime and other transport) and in the means of public transport shall be bilingual except for the names of settlements and other geographic terms, which are not in the ethnically mixed area.”); the Izola Municipality: Decree on the Implementation of Bilingualism in the Ethnically Mixed Area of the Izola Municipality (Primorske novice, Uradne objave No. 3/2001), Article 6, paragraph 4: “All inscriptions on signposts, signboards, additional traffic signs, destination boards, official designations of streets, stations and stops of public passenger transport (bus, taxi, rail, maritime and other transport) and in the means of public transport shall be bilingual except for the names of settlements and other geographic terms, which are not in the ethnically mixed area.”

In Slovenia, members of national communities participate actively in the process of determining bilingual names of settlements and streets as well as in changing the names of settlements and streets in cooperation with the entire population. Prior to changing names, consultations shall be held with persons residing in the area to be affected by such changes (Article 3: “(1) Prior to determining the areas and names of settlements and in determining the names of streets or changing the names of settlements and streets, consultations shall be held with persons residing in the area to be affected by such changes.” Article 9: “(3) Names of settlements must be in the Slovene language. In the area of the municipalities, in which, in addition to the Slovene language, the Italian or Hungarian language is used as the official language, the names of settlements shall be in the Slovene and Italian or Hungarian languages.”; Article 20: “(5) Names of streets must be in the Slovene language. In the area of the municipalities, in which, in addition to the Slovene language, the Italian or Hungarian language is used as the official language, the names of streets shall be in the Slovene and Italian or Hungarian languages.”)⁷²

It is particularly interesting and important that members of national communities participate actively in the process of determining bilingual names of settlements

⁷¹ Act Designating Areas and Naming and Marking Settlements, Streets and Buildings (Ur. l. RS No. 25/2008).

⁷² Act Designating Areas and Naming and Marking Settlements, Streets and Buildings (Ur. l. RS No. 25/2008).

and streets, in addition to the already guaranteed general preliminary consultations with persons residing in the area to be affected by such changes (Article 17: “(4) Prior to making decisions on the Decree on the Determining of the Names of Settlements in Ethnically Mixed Areas, municipalities shall obtain the consent of the relevant self-governing national community. The latter shall give its consent through members of the municipal council – representatives of a national community.”)⁷³

The use of minority languages in state administration and elected bodies

Article 11 of the Constitution of the Republic of Slovenia⁷⁴ lists the official languages in the Republic of Slovenia. Under this provision, the official language in Slovenia is Slovene. In municipalities in which the Italian or Hungarian national community resides, Italian or Hungarian shall also be the official language. In the Constitution and legislation of the Republic of Slovenia, the use of language of the Italian or Hungarian national community in ethnically mixed areas is not numerically limited and it is not limited by the number of their members.

Furthermore, the use of language refers to the right of the members of minorities to use their own language, in oral or written form, in conducting business with administrative authorities, the judiciary or other public institutions and to receive relevant replies in the minority language. A minority language acquires true value when it acquires the status of official language. Such a solution is recognised in the Slovenian Constitution. Rare are the cases when exercising a series of special minority rights (or some of them) is not numerically limited, as stipulated by the Slovenian legal order (Article 64 of the Slovenian Constitution).

The use of the minority languages in administrative procedures is governed by Chapter IV, Article 62, of the General Administrative Procedure Act (The language of proceedings),⁷⁵ which regulates the language in a decision-making procedure on administrative affairs of clients, residents or citizens in the area of administrative law. All state authorities, bearers of public authority in the process of implementing state administrative tasks as well as the authorities of self-governing local communities – municipalities – must abide by this Act.

“Administrative procedure shall be conducted in the Slovene language. Applications shall be filed, decisions issued, decrees, minutes, official notes and other written documents drawn up, and all procedural acts conducted in this language. In the area of local communities – municipalities, where administrative authorities conduct business in the Slovene language and also in the Italian or Hungarian language as the official language, administrative procedure shall be conducted in both the Slovene language and the language of the national community if a party files a request in this language, on the basis of which proceedings are initiated or at the request of a party at any time during the

⁷³ Act Designating Areas and Naming and Marking Settlements, Streets and Buildings (Ur. l. RS No. 25/2008).

⁷⁴ Constitution of the Republic of Slovenia (Ur. l. RS Nos. 33/1991, ..., 68/2006)

⁷⁵ General Administrative Procedure Act (Ur. l. RS Nos. 24/2006 – official consolidated text, 105/2006, 126/2007, 65/2008).

proceedings. If there are different parties to the proceedings or if only some of them are members of the Italian or Hungarian national community, the proceedings shall be conducted in the Slovene language and in the language of the national community.

In proceedings conducted before authorities outside the area where the Italian and Hungarian languages are also used as official languages, members of the Italian and Hungarian national communities have the right to use their own languages.”⁷⁶

In Slovenia, at the level of local branches of state administration operating in ethnically mixed areas, all forms shall be provided, drawn up and printed out, receipt stamps and seals affixed and documents from official records issued also in the Italian or Hungarian language. All parts of official documents shall also be printed in one of the two languages of the respective national community if used in areas in which members of the Italian or Hungarian national community reside.

Regarding e-business, e-forms shall be provided in both languages of the national communities for submitting applications through the Internet.

In addition to fulfilling the obligation to protect the identity of the national communities, another important issue concerning the right to use the languages of the national communities is the use of personal names and surnames in their original forms, i.e. the mother tongue (Article 5: “The personal name of a member of the Italian or Hungarian national community shall be entered in the Births, Deaths and Marriages Registry in the Italian or Hungarian script and form, unless otherwise decided by a member of the national community.”⁷⁷

The system of state authorities and bearers of public authority entering into the same relationships than the former when performing national administrative tasks is governed by additional provisions of the Public Administration Act.⁷⁸ Article 4 of the Act partly repeats the provisions of the Constitution and upgrades them. *According to this provision, Slovene shall be the official language of administration.* In those municipalities in which Italian or Hungarian autochthonous national communities reside, the official languages of the administration shall also be Italian and Hungarian, respectively. In these areas, the administration shall also conduct business in the language of the national community. If the party to the proceedings uses the language of the national community, the administration shall conduct the proceedings in that language and issue legal and other documents in the proceedings in the Slovene language as well as in the language of the national community. The party must be advised of this right prior to the beginning of the proceedings. Where administrative authorities at first instance conduct proceedings in Italian or Hungarian, administrative authorities at second instance must issue documents in the same language.

As regards the regulation of the entire system of state administration and the administrative procedure, the Civil Servants Act provides for the legal and actual

⁷⁶ General Administrative Procedure Act (Ur. l. RS Nos. 24/2006 – official consolidated text, 105/2006, 126/2007, 65/2008).

⁷⁷ Personal Name Act (Ur. l. RS No. 20/2006).

⁷⁸ Public Administration Act (Ur. l. RS Nos. 113/2005 – official consolidated text and 126/2007).

regulation of employee relations; civil servants are the most important human factor in direct or indirect contacts with members of the Italian and Hungarian national communities on the spot or when conducting business.

The Civil Servants Act⁷⁹, Article 17, contains a special provision guaranteeing that quality service is provided to members of national communities, which stipulates the requirements of certain work posts (Article 17: “In case work posts require, by virtue of the law, that languages of national communities be used, the knowledge of such languages shall be specified as a condition for such work posts”). According to the above provision, within bodies operating in the area of municipalities in which the autochthonous Italian or Hungarian national community resides, work posts should be determined, demanding, as a special condition for the position, the knowledge of Italian or Hungarian as official languages in jobs systematization⁸⁰ of the administrative body (appointment to title, conclusion of employment contract). The administration in these areas conducts business in one of the languages of the national communities. An appropriate assessment of the knowledge of the languages of the national communities is important due to the fact that civil servants occupying such work posts, in compliance with Article 23, paragraph 1, indent 5 and Article 28 of the Salary System in the Public Sector Act⁸¹, shall receive a bonus for bilinguality; Article 28, paragraph 2, indent 2 of the Salary System in the Public Sector Act provides⁸² for the size of the bonus, which shall amount to between three and six per cent of the basic salary. The size of the bonus shall be stipulated by the senior official according to Article 28 of the Act⁸³ on the basis of the level of knowledge of the language of the national community required and the actual use of the language during the performance of work. The bonus serves as an incentive both for learning the language of a national community and for additional training.

As the knowledge of the language of a national community is a condition for the position, a civil servant must prove that he/she fulfils this requirement. In compliance with Article 61, paragraph 3 of the Civil Servants Act⁸⁴, the selection procedure shall be conducted in the form of testing the professional qualifications on the basis of the documentation submitted by the candidate, or an oral test carried out by a person qualified to assess the knowledge of the language of a national community (professor of the Italian or Hungarian language, court interpreter for the two languages or a translator), or in some other form.

On the basis of documents, the fulfilment of the above condition shall be assessed:

⁷⁹ Civil Servants Act (Ur. I. RS Nos. 63/2007 – official consolidated text, and 65/2008).

⁸⁰ Jobs systematization of an administrative body is a legal document in the form of a list of positions including a description of the conditions required for a particular position as well as a list of tasks attached to the position, including salary classes.

⁸¹ Salary System in the Public Sector Act (Ur. I. RS Nos. 95/2007 – official consolidated text, and 17/2008, 57/2008 and 80/2008).

⁸² Salary System in the Public Sector Act (Ur. I. RS Nos. 95/2007 – official consolidated text, and 17/2008, 57/2008 and 80/2008).

⁸³ Salary System in the Public Sector Act (Ur. I. RS Nos. 95/2007 – official consolidated text, and 17/2008, 57/2008 and 80/2008).

⁸⁴ Civil Servants Act (Ur. I. RS Nos. 63/2007 – official consolidated text, and 65/2008).

1. For basic knowledge of the language of a national community: The completed elementary school at a bilingual elementary school; completed secondary school, where one of the languages was also Italian or Hungarian, whereby the person did not previously finish bilingual elementary school; an exam in the Italian or Hungarian language within an undergraduate or postgraduate study programme; certificate of language training at a relevant organization of at least 300 lessons; certificate of a successfully passed exam at the elementary level in the language of a national community.

2. For higher level of knowledge of the language of a national community: The completed elementary school at a bilingual elementary school and completed secondary school, where one of the languages was also Italian or Hungarian; completed secondary school, with Italian or Hungarian as one of the languages of instruction, whereby the person did not previously finish bilingual elementary school; an exam in one of these languages within an undergraduate or postgraduate study programme; completed undergraduate study programme in one of the languages of the national communities; education in another country, where one of the languages of the national communities is the mother tongue; a certificate attesting a higher level of knowledge of the language of a national community.

A civil servant in the ethnically mixed area cannot be assigned, appointed to title or conclude an employment contract for a work post, for which he does not meet the necessary condition of the knowledge of the language of a national community at the elementary level or higher, provided for⁸⁵ by the implementing regulation on jobs systematisation of a state administration body.

No violations of the provisions of the Constitution of the Republic of Slovenia, legislation and implementing regulations regarding the implementation of bilingualism in ethnically mixed areas have been officially noted in recent years, and there were no initiatives by clients, residents or citizens addressed to inspection authorities responsible for the civil servants, and to inspection authorities for the control and implementation of administrative procedures and operations.

Special rights to the use of the minority language are additionally and separately regulated in national legislative bodies and representative bodies of local communities – municipalities; this involves the rights of deputies of national communities to use their mother tongue in the National Assembly and of councillors representing national communities in municipal councils. In compliance with the Rules of Procedure of the National Assembly (Article 4, paragraph 2), the deputies of the Italian and Hungarian national communities have the right to “speak and put forward motions, petitions, questions and other submissions in the Italian or Hungarian language. Their speeches and submissions shall be translated into the Slovene language”.⁸⁶ In ethnically mixed municipalities, provisions on the use of the Italian and Hungarian languages,

⁸⁵ Jobs systematization of an administrative body is a legal document in the form of a list of positions including a description of the conditions required for a certain position as well as a list of tasks attached to the position, including salary classes.

⁸⁶ Rules of Procedure of the National Assembly (Ur. l. RS No. 92/2007 – official consolidated text).

respectively in conducting business of municipal administration are also laid down in the statutes and/or rules of procedure of municipal councils (Article 4: “The Municipal Council shall conduct business in the Slovene language, and bilingually – in the Slovene and Italian languages – according to the provisions of the Statute. Members of the Council – members of the Italian national community – have the right to speak and put forward proposals, motions, questions and other submissions in the Italian language.”⁸⁷

Bilingual documents

The use of language of national communities is also guaranteed in some other basic laws: The Births, Deaths and Marriages Registry Act (Article 23, paragraph 5)⁸⁸, Identity Card Act (Article 6)⁸⁹, and Travel Documents of the Citizens of the Republic of Slovenia Act (Article 13, paragraph 1)⁹⁰. Bilingual documents are compulsory for the population on an ethnically mixed territory regardless of their national origin. In addition to the identity card (the form is trilingual: Slovene/Italian-Hungarian/English), passports (the passport is quadrilingual: Slovene/Italian – Hungarian/English/French), driving licences and certificates of registration, health insurance cards and weapons certificates are also bilingual.

The provision contained in the Act Regulating the 2001 Census of Population, Households and Housings in the Republic of Slovenia also falls within the scope of bilingual operations (Ur. l. RS Nos. 66/2000 and 26/2001). This provision stipulates that “in municipalities in which members of the Italian or Hungarian national community live, a certain number of members of the regional census commissions, local instructors and those conducting the census, with the knowledge of the Italian or Hungarian language, shall be chosen from among members of the self-governing national communities at the proposal of the relevant national community. For conducting census in municipalities in which members of the Italian or Hungarian national community reside, an adequate number of census questionnaires shall be available in the Italian or Hungarian language.”⁹¹

Bilingual business operations in municipal administration

The use of national community languages at the municipal level may be dealt with from different aspects. It may be dealt with: as an issue of bilingual signs; from the aspect of bilingual business operations in municipal administration in ethnically mixed municipalities; as a right of elected representatives of national communities to use their own language in municipal councils, commissions and committees; and finally as a right of members of national communities to use their mother tongue in local community bodies. The provisions governing the use of

⁸⁷ Statute of the Koper Municipality (Primorske novice, Uradne objave Nos. 16/1995, 40/2003, Ur. l. RS Nos. 90/2005, 67/2006, 39/2008).

⁸⁸ Births, Deaths and Marriages Registry Act (Ur. l. RS No. 59/2006 – official consolidated text 1).

⁸⁹ Identity Card Act (Ur. l. RS No. 71/2008 - official consolidated text 2).

⁹⁰ Travel Documents of the Citizens of the Republic of Slovenia Act (Ur. l. RS Nos. 3/2006 - official consolidated text 1, 44/2008).

⁹¹ Article 21 of the Act Regulating the 2001 Census of Population, Households and Housings in the Republic of Slovenia (Ur. l. RS Nos. 66/2000 and 26/2001).

national community languages in such areas may be found in the municipal statutes and/or rules of procedure of municipal councils as well as in relevant municipal decrees. As an example, the Statute of the Koper Municipality contains provisions setting out special rights of members of the Italian national community: Article 107 stipulates: “Members of the Italian national community have the right to use the Italian language in the Municipal Council and other municipal authorities and public life in general when exercising self-governing, public and other functions and powers and when exercising lawful rights and legal benefits.” Article 108 further stipulates: “State authorities, municipal administration bodies and other municipal and local self-governing community bodies, public companies and institutions as well as other legal and natural persons performing their activities in the ethnically mixed area, must: provide a bilingual response to the application filed by a citizen in the Italian language and conduct business in the same manner, as well as take into account and make use of the original forms of surnames and names of members of the Italian national community, and use bilingual forms in conducting their business in the ethnically mixed area.” Article 115 stipulates that “celebrations, gatherings and other public manifestations in the ethnically mixed area intended for all members of the municipality shall be held in both languages. Presenting and other public notices in the ethnically mixed area must be in both languages.”

Bilingual operations are associated with additional financial means provided by the state budget (Article 20, paragraph 1).⁹²

Article 10 ADMINISTRATIVE AUTHORITIES AND PUBLIC SERVICES **HUNGARIAN LANGUAGE**

The Republic of Slovenia has undertaken to apply the following paragraphs and/or sub-paragraphs in respect of the Hungarian language:

for the Italian and Hungarian languages: paragraph 1 a (i), b, c,
paragraph 2,
paragraph 3 a,
paragraph 4,
paragraph 5.

Slovenia has chosen the following structure to fulfil the obligations assumed.

Bilingual signs

The first (visible) indicator of the implementation of the right to the free use of language is the stipulations concerning visible bilingualism in toponymy, signposts, announcements, notices, warnings, etc. In the ethnically mixed area, the provisions on visible bilingualism are implemented without any numerical limitations on the basis of legislation (Article 9: “(3) Names of settlements must be in the Slovene language. In the area of the municipalities, in which in addition to the Slovene language, the Italian or Hungarian language is used as the official language, the names of settlements shall be in the Slovene and Italian or

⁹² Financing of Municipalities Act (Ur. l. RS Nos. 123/2006, ..., 57/2008).

Hungarian languages.”; Article 20: “(5) Names of streets must be in the Slovene language. In the area of the municipalities, in which in addition to the Slovene language, the Italian or Hungarian language is used as the official language, the names of streets shall be in the Slovene and Italian or Hungarian languages.”⁹³ and municipal documents; e.g. the Statute of the Lendava Municipality (Ur. l. RS No. 26/1999, 119/2000, 69/2002), Article 71: “In the ethnically mixed area, signboards designating settlements and streets; announcements; notices; and warnings as well as other public signs shall be bilingual. *In the ethnically mixed area, all municipal and state bodies, companies, commercial organisations, private businesses, public institutions, associations and other organisations and communities must have bilingual signboards.* Bilingual signs must guarantee the equal appearance of both languages.”; the Statute of the Moravske Toplice Municipality (Ur. l. RS No. 11/1999), Article 89: “In the ethnically mixed area, signboards designating settlements and streets; announcements; notices; and warnings as well as other public signs shall be bilingual. *In this area, all municipal and state bodies, companies, commercial organisations, private businesses, public institutions, associations and other organisations and communities must have bilingual signboards.* Bilingual signs must guarantee the equal appearance of both languages.”; the Statute of the Šalovci Municipality (Ur. l. RS No. 13/1999), Article 68: (Special rights of members of the Hungarian national community) “In the ethnically mixed area, signboards designating settlements and streets; announcements; notices; and warnings as well as other public signs shall be bilingual. *In the ethnically mixed area, all municipal and state bodies, companies, commercial organisations, private businesses, public institutions, associations and other organisations and communities must have bilingual signboards.* Bilingual signs must guarantee the equal appearance of both languages.”; the Statute of the Hodoš Municipality (Ur. l. RS No. 136/2006), Article 67: “In the ethnically mixed area, signboards designating settlements and streets; announcements; notices; and warnings as well as other public signs shall be bilingual. In the ethnically mixed area, all municipal and state bodies, companies, commercial organisations, private businesses, public institutions, associations and other organisations and communities must have bilingual signboards. Bilingual signs must guarantee the equal appearance of both languages.”; the Statute of the Dobrovnik Municipality (Ur. l. RS No. 35/2007), Article 84: “In the ethnically mixed area, signboards designating settlements and streets; announcements; notices; and warnings as well as other public signs shall be bilingual. *In the ethnically mixed area, all municipal and state authorities, enterprises, commercial organisations, private businesses, public institutions, associations and other organisations and communities must have bilingual signboards.* The bilingual signs must guarantee the equal appearance of both languages.”

In Slovenia, members of national communities actively participate in the process of determining bilingual names of settlements and streets as well as in changing the names of settlements and streets in cooperation with the entire population. Prior to changing names, consultations shall be held with persons residing in the area to be affected by such changes (Article 3: “(1) Prior to determining the areas

⁹³ Act Designating Areas and Naming and Marking Settlements, Streets and Buildings (Ur. l. RS No. 25/08).

and names of settlements and in determining the names of streets or changing the names of settlements and streets, consultations shall be held with persons residing in the area to be affected by such changes.” Article 9: “(3) Names of settlements must be in the Slovene language. In the area of the municipalities, in which in addition to the Slovene language the Italian or Hungarian language is used as the official language, the names of settlements shall be in the Slovene and the Italian or Hungarian languages.”; Article 20: “(5) Names of streets must be in the Slovene language. In the area of the municipalities, in which in addition to the Slovene language the Italian or Hungarian language is used as the official language, the names of streets shall be in the Slovene and Italian or Hungarian languages.”⁹⁴

It is particularly interesting and important that members of national communities actively participate in the process of determining bilingual names of settlements and streets, in addition to the already guaranteed general preliminary consultations with persons residing in the area to be affected by such changes (Article 17: “(4) Prior to considering the Decree Designating the Names of Settlements in Ethnically Mixed Areas, municipalities shall obtain consent of the relevant self-governing national community. The relevant self-governing national community shall give its consent through the members of the municipal council – representatives of a national community.”)⁹⁵

The use of minority languages in state administration and elected bodies

Article 11 of the Constitution of the Republic of Slovenia⁹⁶ lists the official languages in the Republic of Slovenia. Under this provision, the official language in Slovenia is Slovene. In municipalities where Italian or Hungarian national community resides, Italian or Hungarian shall also be the official language. In the Constitution and legislation of the Republic of Slovenia, the use of language of the Italian or Hungarian national community in ethnically mixed areas is not numerically limited and it is not limited by the number of their members.

Furthermore, the use of language refers to the right of the members of minorities to use their own language, in oral or written form, in conducting business with administrative authorities, the judiciary or other public institutions and to receive relevant replies in the minority language. A minority language acquires true value when it acquires the status of official language. Such a solution is recognised in the Slovenian Constitution. Rare are the cases when exercising a series of special minority rights (or some of them) is not numerically limited, as stipulated by the Slovenian legal order (Article 64 of the Slovenian Constitution).

The use of the minority languages in administrative procedures is governed by Chapter IV, Article 62, of the General Administrative Procedure Act (The

⁹⁴ Act Designating Areas and Naming and Marking Settlements, Streets and Buildings (Ur. l. RS No. 25/2008).

⁹⁵ Act Designating Areas and Naming and Marking Settlements, Streets and Buildings (Ur. l. RS No. 25/2008).

⁹⁶ Constitution of the Republic of Slovenia (Ur. l. RS Nos. 33/1991, ..., 68/2006)

language of proceedings),⁹⁷ which regulates the language in a decision-making procedure on administrative affairs of clients, residents or citizens in the area of administrative law. All state authorities, bearers of public authority in the process of implementing state administrative tasks as well as the authorities of self-governing local communities – municipalities must abide by this Act.

“Administrative procedure shall be conducted in the Slovene language. Applications shall be filed, decisions issued, decrees, minutes, official notes and other written documents drawn up, and all procedural acts conducted in this language. In the area of local communities – municipalities, where administrative authorities conduct business in the Slovene language and also in the Italian or Hungarian language as the official language, administrative procedure shall be conducted in both the Slovene language and the language of a national community if a party files a request in this language, on the basis of which proceedings are initiated or at the request of a party at any time during the proceedings. If there are different parties to the proceedings or if only some of them are members of the Italian or Hungarian national community, the proceedings shall be conducted in the Slovene language and in the language of the national community.

In proceedings conducted before authorities outside the area where the Italian and Hungarian languages are also used as official languages, members of the Italian and Hungarian national communities have the right to use their own languages.”⁹⁸

In Slovenia, at the level of local branches of state administration operating in ethnically mixed areas, all forms shall be provided, drawn up and printed out, receipt stamps and seals affixed and documents from official records issued also in the Italian or Hungarian language. All parts of official documents shall also be printed in one of the two languages of the respective national community if used in areas in which members of the Italian or Hungarian national community reside.

Regarding e-business, e-forms shall be provided in both languages of the national communities for submitting applications through the Internet.

In addition to fulfilling the obligation to protect the identity of the national communities, another important issue concerning the right to use the languages of the national communities is the use of personal names and surnames in their original forms, i.e. the mother tongue (Article 5: “The personal name of a member of the Italian or Hungarian national community shall be entered in the Births, Deaths and Marriages Registry in the Italian or Hungarian script and form, unless otherwise decided by a member of the national community.”⁹⁹

The system of state authorities and bearers of public authority entering into the same relationships than the former when performing national administrative tasks is governed by additional provisions of the Public Administration Act.¹⁰⁰ Article 4 of the Act partly repeats the provisions of the Constitution and upgrades them.

⁹⁷ General Administrative Procedure Act (Ur. l. RS Nos. 24/2006 – official consolidated text, 105/2006, 126/2007, 65/2008).

⁹⁸ General Administrative Procedure Act (Ur. l. RS Nos. 24/2006 – official consolidated text, 105/2006, 126/2007, 65/2008).

⁹⁹ Personal Name Act (Ur. l. RS No. 20/2006).

¹⁰⁰ Public Administration Act (Ur. l. RS Nos. 113/2005 – official consolidated text and 126/2007).

According to this provision, Slovene shall be the official language of administration. In those municipalities in which the Italian or Hungarian autochthonous national communities reside, the official languages of the administration shall also be Italian and Hungarian, respectively. In these areas, the administration shall also conduct business in the language of the national community. If the party to the proceedings uses the language of the national community, the administration shall conduct the proceedings in that language and issue legal and other documents in the proceedings in the Slovene language as well as in the language of the national community. The party must be advised of this right prior to the beginning of the proceedings. Where administrative authorities at first instance conduct proceedings in Italian or Hungarian, administrative authorities at second instance must issue documents in the same language.

As regards the regulation of the entire system of state administration and administrative procedure, the Civil Servants Act¹⁰¹ provides for the legal and actual regulation of employee relations; civil servants are the most important human factor in direct or indirect contacts with members of the Italian and Hungarian national communities on the spot or when conducting business.

The Civil Servants Act¹⁰², Article 17, contains a special provision guaranteeing that quality service is provided to members of national communities, which stipulates the requirements of certain work posts (Article 17: “In case work posts require, by virtue of the law, that languages of national communities be used, the knowledge of such languages shall be specified as a condition for such work posts”). According to the above provision, within bodies operating in the area of municipalities in which the autochthonous Italian or Hungarian national community resides, work posts should be determined, demanding, as a special condition for the position, the knowledge of Italian or Hungarian as the official language in jobs systematization¹⁰³ of the administrative body (appointment to title, conclusion of employment contract). The administration in these areas conducts business in one of the languages of the national communities. An appropriate assessment of the knowledge of the language of national communities is important due to the fact that civil servants occupying such work posts, in compliance with Article 23, paragraph 1, indent 5 and Article 28 of the Salary System in the Public Sector Act¹⁰⁴, shall receive a bonus for bilinguality; Article 28, paragraph 2, indent 2 of the Salary System in the Public Sector Act provides¹⁰⁵ for the size of the bonus, which shall amount to between three and six per cent of the basic salary. The size of the bonus shall be stipulated by the senior official according to Article 28 of the Act¹⁰⁶ on the basis of the level of knowledge of the

¹⁰¹ Civil Servants Act (Ur. l. RS Nos. 63/2007 – official consolidated text, and 65/2008).

¹⁰² Civil Servants Act (Ur. l. RS Nos. 63/2007 – official consolidated text, and 65/2008).

¹⁰³ Jobs systematization of an administrative body is a legal document in the form of a list of positions including a description of the conditions required for a certain position as well as a list of tasks attached to the position, including salary classes.

¹⁰⁴ Salary System in the Public Sector Act (Ur. l. RS Nos. 95/2007 – official consolidated text, and 17/2008, 57/2008 and 80/2008).

¹⁰⁵ Salary System in the Public Sector Act (Ur. l. RS Nos. 95/2007 – official consolidated text, and 17/2008, 57/2008 and 80/2008).

¹⁰⁶ Salary System in the Public Sector Act (Ur. l. RS Nos. 95/2007 – official consolidated text, and 17/2008, 57/2008 and 80/2008).

language of the national community required and the actual use of the language during the performance of work. The bonus serves as an incentive both for learning the language of a national community and for additional training.

As the knowledge of the language of a national community is a condition for performing the work or function, a civil servant must prove that he/she fulfils this requirement. In compliance with Article 61, paragraph 3 of the Civil Servants Act¹⁰⁷, the selection procedure shall be conducted in the form of testing the professional qualifications on the basis of the documentation submitted by the candidate, or an oral test carried out by a person qualified to assess the knowledge of the language of a national community (professor of the Italian or Hungarian language, court interpreter for the two languages or a translator) or in some other form.

On the basis of documents, the fulfilment of the above condition shall be assessed:

1. For basic knowledge of the language of a national community: The completed elementary school at a bilingual elementary school; completed secondary school, where one of the languages was also Italian or Hungarian, whereby the person did not previously finish bilingual elementary school; an exam in the Italian or Hungarian language within an undergraduate or postgraduate study programme; certificate of language training at a relevant organization of at least 300 lessons; certificate of a successfully passed exam at the elementary level in the language of a national community.

2. For higher level of knowledge of the language of a national community: The completed elementary school at a bilingual elementary school and completed secondary school, where one of the languages was also Italian or Hungarian; completed secondary school, with Italian or Hungarian as one of the languages of instruction, whereby the person did not previously finish bilingual elementary school; an exam in one of these languages within an undergraduate or postgraduate study programme; completed undergraduate study programme in one of the languages of the national communities; education in another country, where one of the languages of the national communities is the mother tongue; a certificate attesting a higher level of the knowledge of the language of a national community.

A civil servant in the ethnically mixed area cannot be assigned, appointed to title or conclude an employment contract for a work post, for which he does not meet the necessary condition of the knowledge of the language of a national community at the elementary level or higher, provided for by the implementing regulation on jobs systematisation of a state administration body. No violations of the provisions of the Constitution of the Republic of Slovenia, legislation and implementing regulations regarding the implementation of bilingualism in ethnically mixed areas have been officially noted in recent years, and there were no initiatives by clients, residents or citizens addressed to inspection authorities responsible for the civil servants, and to inspection authorities for the control and implementation of the administrative procedures and operations.

¹⁰⁷ Civil Servants Act (Ur. l. RS Nos. 63/2007 – official consolidated text, and 65/2008).

Special rights to the use of the minority language are additionally and separately regulated in national legislative bodies and representative bodies of local communities – municipalities; this involves the rights of deputies of national communities to use their mother tongue in the National Assembly and of councillors representing national communities in municipal councils. In compliance with the Rules of Procedure of the National Assembly (Article 4, paragraph 2), the deputies of the Italian and Hungarian national communities have the right to “speak and put forward motions, petitions, questions and other submissions in the Italian or Hungarian language. Their speeches and submissions shall be translated into the Slovene language.”¹⁰⁸ In ethnically mixed municipalities, provisions on the use of the Italian and Hungarian languages, respectively in conducting business of municipal administration are also laid down in the statutes and/or rules of procedure of municipal councils (Article 3: “The Municipal Council and its bodies conduct businesses in the Slovene and Hungarian languages. Members of the Council and members of the Hungarian national community appointed to working bodies have the right to “speak and put forward motions, questions and other submissions in the Hungarian language.”)¹⁰⁹

Bilingual documents

The use of language of national communities is also guaranteed in some other basic laws: in the Births, Deaths and Marriages Registry Act (Article 23, paragraph 5: “In the areas, as defined by law, populated by autochthonous Italian or Hungarian national community, copies and certificates from the Births, Deaths and Marriages Registry shall be issued in Slovene and in the language of the national community.”)¹¹⁰, in the Identity Card Act (Article 6: The forms for personal identity cards shall be printed in Slovene and English, and also in Italian or Hungarian in the areas specified by statute, in which members of the autochthonous Italian or Hungarian national community live together with Slovenians.”)¹¹¹ and the Travel Documents of the Citizens of the Republic of Slovenia Act (Article 13, paragraph 1: “Travel document and visa forms shall be printed in Slovene, English and French, and also in Italian or Hungarian in the areas specified by statute, in which members of the autochthonous Italian or Hungarian national community live together with Slovenians.”)¹¹² Bilingual documents are compulsory for the population on an ethnically mixed territory regardless of their national origin. In addition to the identity card (the form is trilingual: Slovene/Italian-Hungarian/English), passports (the passport is quadrilingual: Slovene/Italian – Hungarian/English/French) and passes for crossing the border in the border areas with Italy and Hungary, driving licences and certificates of registration, health insurance cards and weapons certificates are also bilingual. The provision contained in the Act Regulating the 2001 Census of Population, Households and Housings in the Republic of Slovenia also falls within the scope of bilingual operations (Ur. l. RS Nos. 66/2000 and 26/2001).

¹⁰⁸ Rules of Procedure of the National Assembly (Ur. l. RS No. 92/2007 – official consolidated text).

¹⁰⁹ Rules of Procedure of the Lendava Municipality (Ur. l. RS No. 52/1999).

¹¹⁰ Births, Deaths and Marriages Registry Act (Ur. l. RS No. 59/2006 – official consolidated text 1).

¹¹¹ Identity Card Act (Ur. l. RS No. 71/2008 – official consolidated text 2).

¹¹² Travel Documents of the Citizens of the Republic of Slovenia Act (Ur. l. RS Nos. 3/2006 - official consolidated text 1, 44/2008).

This provision stipulates that “in municipalities in which members of the Italian or Hungarian national community live, a certain number of members of the regional census commissions, local instructors and those conducting the census, with the knowledge of Italian or Hungarian language, shall be chosen from among members of the self-governing national communities at the proposal of the relevant national community. For conducting census in municipalities in which members of the Italian or Hungarian national community reside, an adequate number of census questionnaires shall be available in the Italian or Hungarian language.”¹¹³

Bilingual business operations in municipal administration

The use of national community languages at the municipal level may be dealt with from different aspects. It may be dealt with: as an issue of bilingual signs; from the aspect of bilingual business operations in municipal administration in ethnically mixed municipalities; as a right of elected representatives of national communities to use their own language in municipal councils, commissions and committees; and finally as a right of members of national communities to use their mother tongue in local community bodies. The provisions governing the use of national community languages in such areas may be found in the municipal statutes and/or rules of procedure of municipal councils and in the relevant municipal decrees. As an example, the Statute of the Šalovci Municipality (Ur. l. RS No. 38/2006) contains provisions setting out special rights of the members of the Hungarian national community: Article 66 stipulates that “the municipality protects national character, guarantees equality and implements special rights of the Hungarian national community and its members and ensures the development of the national community in all areas. *The official languages in the ethnically mixed area of the municipality shall be Slovene and Hungarian. Both languages shall have equal status.* Citizens of Hungarian nationality shall be guaranteed the use of their mother tongue in public and social life.” Articles 67 further stipulates: “The municipal authorities and all public services in the ethnically mixed area of the municipality shall operate in the Slovene and Hungarian languages. *In their work, they must respect the official personal data and their use. The municipal authorities, state authorities, public companies and institutions in the ethnically mixed area shall use bilingual signs, seals, stamps, printed matter and other forms, in accordance with the law.*” *Marriages in ethnically mixed areas are contracted in the Slovene or Hungarian language at the request of those contracting the marriage.*” Article 68 stipulates that “gatherings of people, public manifestations, association and all other events in the ethnically mixed area shall be held in the Slovene and Hungarian languages. For reasons of economy, they may decide that certain events or manifestations will be held in one language only.”

Bilingual operations are associated with additional financial means provided by the state budget for the implementation of the rights of national communities and the Roma community (Article 20, paragraph 1). “Municipalities with ethnically mixed areas or with a permanently settled Roma ethnic community are granted

¹¹³ Article 21 of the Act Regulating the 2001 Census of Population, Households and Housings in the Republic of Slovenia (Ur. l. RS Nos. 66/2000 and 26/2001).

funds from the state budget for the financing of bilingualism and the implementation of the constitutional rights of the Italian or Hungarian national community or the implementation of the rights of the Roma ethnic community provided for under the law.”¹¹⁴

ADDITIONAL CLARIFICATIONS

Additional clarifications to certain questions of the Committee of Experts regarding the application of Article 10 of the Charter:

The municipalities already issue bilingual invoices and money order forms for local public services. In the Koper Municipality, a municipal decree imposes such obligation on all companies (not only the public ones), e.g. *Banka Koper* (Bank of Koper). Slovenia has no public services in the field of postal service and electronic communications; both service providers ensuring universal services in bilingual areas (*Pošta Slovenije* and *Telekom Slovenije*) use bilingual forms and conduct their business operations by using such forms.

Second Report of the Committee of Experts on the Charter, paragraph 94

State administration bodies in ethnically mixed areas ensure bilingual operations in the Hungarian and Slovene languages and in the Italian and Slovene languages.

No violations of the provisions of the Constitution of the Republic of Slovenia, legislation and implementing regulations regarding the implementation of bilingualism in ethnically mixed areas have been officially noted in recent years, and there were no initiatives by clients, residents or citizens addressed to inspection authorities responsible for the civil servants, and to inspection authorities for the control and implementation of the administrative procedures and operations.

In the annual report for the year 2005, the Human Rights Ombudsman of the Republic of Slovenia stated the warning of the umbrella organization of the Italian national community regarding the protection of the right to the use of the languages of the autochthonous Italian and Hungarian national communities as official languages before state administration bodies. The community filed with the Constitutional Court a constitutional review initiative in respect of the provisions of the Public Administration Act, which stipulates that in areas where Italian and Hungarian autochthonous national communities reside, the official languages of the administration shall also be Italian and Hungarian, respectively. In these areas, the administration shall conduct business in the language of the national community should parties be members of the Italian or Hungarian national community and should they make use of the Italian or Hungarian language. The Public Administration Act (Ur. l. RS No. 93/2005) was amended before the decision-making by the Constitutional Court, and the proceedings were stopped without a decision on the substance of the case. According to the

¹¹⁴ Financing of Municipalities Act (Ur. l. RS Nos. 123/2006, ..., 57/2008).

Ombudsman, the legislator responded adequately to the advice of the international community, as he believed that the reproaches on the non-conformity of the Public Administration Act with the Constitution were justified.

Unlike the report for the year 2005, the Ombudsman included in the reports for the years 2006 and 2007 no warning or initiative by the Italian or Hungarian national community, which would show any non-conformity of the legislation with the Constitution, or the shortcomings of its implementation in conducting business operations of state authorities.

Second Report of the Committee of Experts on the Charter, paragraph 101

In bilingual areas, Slovenia not only allows the state administration bodies to draw up documents in the regional or minority language but also imposes on them by the Slovenian Constitution, legislation and implementing regulations to draw up documents in the regional or minority language. In practice, this undertaking is being carried out in full by local branches of state administration bodies in bilingual areas. The undertaking is carried out immediately when a client before a state administration body in the ethnically mixed area speaks in the Italian or Hungarian language or submits an application in that language to the state administration body.

In administrative procedures and other public law affairs, a client, citizen or resident may, by using an ordinary remedy (appeal – grounds for violating the rules of procedure, or if statutory provisions on the use of language in the proceedings have been violated) challenge, with a lawsuit at the Administrative Court, the formal/legal correctness of the proceedings, if it is assumed that the provisions of the General Administrative Procedure Act have been violated with respect to the use of the language of the Hungarian or Italian community in the ethnically mixed area.

No violations of the provisions of the Constitution of the Republic of Slovenia, legislation and implementing regulations regarding the implementation of bilingualism in ethnically mixed areas have been officially noted in recent years, and there were no initiatives by clients, residents or citizens addressed to inspection authorities responsible for the civil servants, and to inspection authorities for the control and implementation of the administrative procedures and operations.

Second Report of the Committee of Experts on the Charter, paragraph 108

In bilingual areas, bilingualism must be implemented by state and local authorities and by bearers of public authority based in an exactly defined area. If state and local authorities and bearers of public authority conducted their business in the Italian or Hungarian language outside the ethnically mixed area, this would be contrary to the Constitution of the Republic of Slovenia, since Slovene is the official language of the Republic of Slovenia.

Second Report of the Committee of Experts on the Charter, paragraph 111

As regards state administration, this undertaking is fulfilled by the setting out of conditions for the employment of civil servants in posts at local branches of state administration bodies in the ethnically mixed area. Regarding these posts, the implementing regulations on jobs systematisation of a state administration body provide for an adequate level of knowledge of the language of the Hungarian or Italian community. In practice, the language of the national community is always used in the provision of public services.

Implementing regulations on jobs systematisation of a state administration body regarding posts in local branches of state administration conducting business in ethnically mixed areas are determined in such a way that the administrative authorities meet all obligations under the statute or the obligation to ensure the provision of public services in Hungarian (see also clarification in the response to Recommendation 4). In practice, members of the Hungarian national community use the language of the Hungarian community before administrative authorities.

Violations of the implementation of the above undertaking have not been officially recorded and are unknown.

Second Report of the Committee of Experts on the Charter, paragraph 152

The local branches of state administration have sufficient number of employed and qualified civil servants with adequate knowledge of the language of the nationality, which enables these bodies to provide public services in the Italian language without any impediments.

The majority of the employed civil servants receiving the bonus for bilinguality have a higher level of the Italian language.

For higher level of knowledge of the language of a national community: The completed elementary school at a bilingual elementary school and completed secondary school, where one of the languages was also Italian or Hungarian; completed secondary school, with Italian or Hungarian as one of the languages of instruction, whereby the person did not previously finish bilingual elementary school; an exam in one of these languages within an undergraduate or postgraduate study programme; completed undergraduate study programme in one of the languages of the national communities; education in another country, where one of the languages of the national communities is the mother tongue; a certificate attesting a higher level of knowledge of the language of a national community.

Specific human resources policy is being conducted on the basis of needs of each state administration body, which guarantees the body unimpeded functioning in the language of the Italian community.

In practice, members of the Italian national community use their language without impediments when conducting business before local branches of state administration.

No violations of the provisions of the Constitution of the Republic of Slovenia, legislation and implementing regulations regarding the implementation of bilingualism in ethnically mixed areas have been officially noted in recent years, and there were no initiatives by clients, residents or citizens addressed to inspection authorities responsible for the civil servants, and to inspection authorities for the control and implementation of the administrative procedures and operations.

In the annual report for the year 2005, the Human Rights Ombudsman of the Republic of Slovenia stated the warning of the umbrella organization of the Italian national community regarding the protection of the right to the use of the languages of the autochthonous Italian and Hungarian national communities as official languages before state administration bodies. The community filed with the Constitutional Court a constitutional review initiative in respect of the provisions of the Public Administration Act, which stipulates that in areas where Italian and Hungarian autochthonous national communities reside, the official languages of the administration shall also be Italian and Hungarian, respectively. In these areas, the administration shall conduct business in the language of the national community should parties be members of the Italian or Hungarian national community and should they make use of the Italian or Hungarian language. The Public Administration Act (Ur. l. RS No. 93/2005) was amended before the decision-making by the Constitutional Court, and the proceedings were stopped without a decision on the substance of the case. According to the Ombudsman, the legislator responded adequately to the advice of the international community, as he believed that the reproaches on the non-conformity of the Public Administration Act with the Constitution were justified.

Unlike the report for the year 2005, the Ombudsman included in the reports for the years 2006 and 2007 no warning or initiative by the Italian or Hungarian national community, which would show any non-conformity of the legislation with the Constitution, or the shortcomings of its implementation in conducting business operations of state authorities.

Second Report of the Committee of Experts on the Charter, paragraph 155

The accessibility of forms in the Italian language available online on the websites of relevant local branches of state administration bodies has been resolved.

A selection of forms/applications (including a selection of e-forms) in the Italian language may also be obtained from the national portal e-Government, under the description of a specific service provided by the public administration (e.g. <http://e-uprava.gov.si/e-uprava/dogodkiPrebivalci.euprava?zdid=596&sid=130>) or at the service-providing section of the national portal, i.e. at the web pages of e-services <http://e-uprava.gov.si/storitve/index.jsp>, where applications are published in one place (<http://e-uprava.gov.si/storitve/vlogeIta.esju>).

During the updating of websites, the forms have always been available also in e-form, but by e-mail and not directly on the web.

The local branches of state authorities have always had bilingual forms, instructions and texts in paper form. There have been no complaints in this regard.

Second Report of the Committee of Experts on the Charter, paragraph 159

In bilingual areas, the Republic of Slovenia not only allows the state administration bodies to draw up documents in the regional or minority language but also imposes on them by the Slovenian Constitution, legislation and implementing regulations to draw up documents in the regional or minority language. In practice, this undertaking is being carried out in full by local branches of state administration bodies in bilingual areas. The undertaking is carried out immediately when a client before a state administration body in the ethnically mixed territory speaks in the Italian or Hungarian language or submits an application in that language.

In administrative procedures and other public law affairs, a client, citizen or resident may, by using an ordinary remedy (appeal – grounds for violating the rules of procedure, or if statutory provisions on the use of language in the proceedings have been violated) challenge, with a lawsuit at the Administrative Court, the formal/legal correctness of the proceedings, if it is assumed that the provisions of the General Administrative Procedure Act have been violated with respect to the use of the language of the Hungarian or Italian community in the ethnically mixed area.

No violations of the provisions of the Constitution of the Republic of Slovenia, legislation and implementing regulations regarding the implementation of bilingualism in ethnically mixed areas have been officially noted in recent years, and there were no initiatives by clients, residents or citizens addressed to inspection authorities responsible for the civil servants, and to inspection authorities for the control and implementation of the administrative procedures and operations.

Second Report of the Committee of Experts on the Charter, paragraph 168

In bilingual areas, bilingualism must be implemented by state and local authorities and bearers of public authority based in an exactly defined area. If state and local authorities and bearers of public authority performed their work in the Italian or Hungarian language outside the ethnically mixed area, this would be contrary to the Constitution of the Republic of Slovenia, since Slovene is the official language of the Republic of Slovenia.

Second Report of the Committee of Experts on the Charter, paragraph 172

As regards state administration, this undertaking is fulfilled by the setting out of conditions for the employment of civil servants in posts in local branches of state administration in the ethnically mixed area. Regarding these posts, implementing regulations on jobs systematisation of a state administration body provide for an adequate level of knowledge of the language of the Hungarian or Italian

community. In practice, the language of the nationality is always used in the provision of public services.

Implementing regulations on jobs systematisation of a state administration body regarding posts in local branches of state administration conducting business in ethnically mixed areas are determined in such a way that the administrative authorities meet all obligations under the statute or the obligation to ensure the provision of public services in Italian (see also clarification in the response to Recommendation 4).

In practice, members of the Italian national community use the language of the Italian community before administrative authorities.

Violations of the implementation of the above undertaking have not been officially recorded and are unknown.

Article 11: MEDIA **INTRODUCTION**

The Republic of Slovenia has undertaken to apply the following paragraphs and sub-paragraphs:

for the Italian and Hungarian languages: paragraph 1 a (i), e (i),
paragraph 2,
paragraph 3.

In accordance with Article 61 of the Constitution and the Exercising of the Public Interest in Culture Act¹¹⁵, the Sector for Minority Cultural Rights and the Development of Cultural Diversity at the Ministry of Culture is also responsible for the programme set up in 1992 intended for informing other minority ethnic groups and immigrants to Slovenia through bulletins and newspapers. The Table in Annex 1 (page 122, Language preservation – 2006, 2007 and 2008 linguistic projects) shows specific projects financed by the Ministry of Culture in 2006, 2007 and 2008. These include newspapers and bulletins of societies of minority ethnic groups in their languages which are systematically stored in INDOK and are also available through the COBISS system. The Sector systematically follows media reports on minorities. When it comes across discriminatory reporting about members of minority communities, it promptly informs the media inspector. It also cooperates with NGOs with a view to drafting comprehensive conceptual bases for decision-making. On the basis of systematically acquired knowledge, the Sector counsels the already established minority media.

Article 11: MEDIA **ITALIAN LANGUAGE**

With regard to the right to provide information to members of national communities, the following three problem areas have to be addressed: firstly, the

¹¹⁵ Ur. l. RS Nos. 96/2002, ..., 56/2008.

possibilities of national communities to create and disseminate information about themselves and about their living environment in their own language; secondly, the presence of minority issues in the media using the language of the majority nation; and lastly, the possibilities of free reception of information in the language of a national community from its nation of origin, and, consequently, the possibilities of disseminating information created by the national community to the nation of origin.

For the implementation of the above, legal provisions alone are usually not sufficient. They only represent a framework to be complemented by professionalism and the ability of information providers to place information in the media environment of their own national community and of the majority nation. Certainly, a relevant legal basis is essential for the development of the media environment. In the Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), the Republic of Slovenia has undertaken to support the media in the creation and dissemination of programming important to “the exercise of the right of citizens of the Republic of Slovenia, Slovenes around the world, members of the Slovene minorities in Austria, Hungary and Italy, the Hungarian and Italian national communities in Slovenia, and the Roma community living in Slovenia to public information and to be informed in general”.¹¹⁶

The Act further stipulates that programming must be disseminated in Slovene; “if programming is intended for the Hungarian or Italian national communities, publishers may disseminate the programming in the language of the national community.”¹¹⁷ A similar provision applies to the publishing of advertising material, which must be disseminated in Slovene. Media “for the Hungarian and Italian national communities may publish advertisements in the language of the national community”.¹¹⁸ Article 19 stipulates that a managing editor may be a person who possesses a certificate of active knowledge of Hungarian or Italian in the event that the mass medium is for the Hungarian or Italian national community.¹¹⁹ In the Media Act, provisions relating to the Italian and Hungarian national communities may also be found under the title “Slovenian audio-visual works”, where it is stated that “under the present Act Slovenian audio-visual works are works produced originally in Slovene or works intended for the Hungarian and Italian national communities in the language thereof, and works of Slovenian cultural origin from other areas of the arts”.¹²⁰ The public service of producing and disseminating national radio and television broadcasts “in the public and cultural interest of the Republic of Slovenia, including radio and television programmes of the Italian and Hungarian national communities and other programmes in accordance with a separate act, shall be carried out by the public institution Radiotelevizija Slovenija”.¹²¹ Pursuant to Article 78, a publisher may acquire the status of a local radio or television programme if it also fulfils the following extra condition: it has programming from the lives and work of Slovenes in neighbouring countries, members of the Hungarian and Italian

¹¹⁶ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 4, paragraph 1.

¹¹⁷ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 5, paragraphs 4 and 7.

¹¹⁸ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 51, paragraph 2.

¹¹⁹ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 19, paragraph 1.

¹²⁰ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 68, paragraph 1.

¹²¹ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 76, paragraph 1.

national communities, and Roma, if it is receivable in areas where such communities live.¹²² In accordance with Article 108, administrative and inspection supervision of the implementation of the act is conducted by the ministry responsible for culture.¹²³

The Media Act also stipulates that the dissemination of programming that encourages national, racial, religious, sexual or any other inequality, or violence and war, or incites national, racial, religious, sexual or any other hatred and intolerance is prohibited (Article 8 of the Act). It also stipulates that advertising may not incite discrimination on the grounds of race, sex or ethnicity, or political or religious intolerance (Article 47).

Mention should also be made of international legal obligations of the Republic of Slovenia arising from bilateral agreements. Provisions relating to the media and national communities are included in the Special Statute annexed to the Memorandum of Understanding of 1954 (item 4: “(the Yugoslav ethnic group in the Italian administered area and the Italian ethnic group in the Yugoslav administered area) (...) shall enjoy the right to their own press in their mother tongue.”).

Radio and television activities performed as a public service are governed by the Radiotelevizija Slovenija Act. Pursuant to the Act, public service is defined as creating, producing, filing and broadcasting of “one radio and television programme each for the autochthonous Italian and Hungarian national communities (hereinafter: national community programme)”.¹²⁴ By creating this programme, the RTV Slovenija shall ensure “fulfilment of constitutional rights of the Italian and Hungarian national communities in the area of public information via public radio and television, and promote ties between the national communities and their nations of origin and incorporation of cultural and other achievements of the Italian and Hungarian nations into national community programmes”.¹²⁵ “National community programmes must be received in 90 per cent of the territory inhabited by the Italian and Hungarian national communities.”¹²⁶ National community programme or a part thereof may be leased for production by another radio and television organisation or producer “only with the consent of the Programme Committee of the national community programme in question”¹²⁷.

Funds for the creation, production, broadcasting and dissemination of national community programmes are partly provided by the state budget. Members of the (Italian and Hungarian) national communities are also represented on the Programme Board, each by one representative.

Programme Committees for national community programmes are central bodies that actively participate in implementing the obligations of RTV Slovenija in providing information for national communities (Programme Committees for the

¹²² Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 78, paragraph 1.

¹²³ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 108.

¹²⁴ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 3, paragraph 1.

¹²⁵ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 4, paragraph 1.

¹²⁶ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 8, paragraph 1.

¹²⁷ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 9, paragraph 3.

Italian and the Hungarian national community programmes, respectively). The composition and competencies of this body are laid down in Article 23 of the Radiotelevizija Slovenija Act: “The Programme Board shall appoint a Programme Committee for the Italian and one for the Hungarian national community programmes, and they shall comprise nine members each, except for those members appointed by the self-governing national communities themselves, or those elected from among themselves by employees in the editorial offices of the national community programmes. The Italian and Hungarian self-governing national communities in Slovenia shall appoint to their respective Programme Committees referred to in the preceding paragraph two-thirds of the members, for a term of four years. One member shall be appointed to each Programme Committee from among themselves by employees in the editorial offices of the radio and television programmes for the Italian and Hungarian national communities respectively.

The Programme Committees for the national community programmes shall grant their consent to the appointment of respective managing editors for the national community programmes, and to the scope and programme plan, programme standards and programme scheme, which must be in line with the material capacities of the RTV Slovenija public institution and with the regulations governing its work.

The Programme Committees for the national community programmes shall address fulfilment of the programme plan and programme production plan and also that part of the annual report of the RTV Slovenija public institution relating to the national community programmes; address the comments and suggestions of viewers and listeners of the national community programmes and indicate their position in this regard; offer initiatives to the Programme Board for dealing with issues in the area of the national community programmes; perform other tasks in the area of national community programmes where so provided by the Statute.”¹²⁸

Detailed provisions on the work of Programme Committees for the national community programmes are included in the Statute of RTV Slovenija, which is also provided for in Article 29 of the Radiotelevizija Slovenija Act. The radio and television stations in the Italian language (similarly as applies to programmes in the Hungarian language) operate within the national radio and television network (Article 70: “The following units are organized within RTV Slovenija: (...) programme and production unit Regional RTV Centre Koper – Centro regionale RTV Koper - Capodistria (PPU-RC KP); programme-production unit Regional RTV Centre Maribor with a studio for the Hungarian programme in Lendava – Magyar Műsorok Stúdiója, Lendva;”; Article 75: “The regional RTV Centre Koper - Capodistria creates, prepares, broadcasts and files television and radio programmes in the Slovene language, television and radio programmes for the Italian national community, television and radio programmes for the Slovenian national minority in Italy, and prepares broadcasts for national radio and television programmes”; Article 76: “The radio and television programmes specified in the previous article shall be prepared by: the two programme units of the respective regional radio and television programmes in the Slovene language, and the programme units of the respective radio and television programmes for the Italian national community in the Italian language. The preparation of the regional radio

¹²⁸ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006).

and television programmes in the Slovene language as well as the radio and television programmes for the Italian national community in the Italian language shall be managed and coordinated by the managing editors of the respective programmes. The two managing editors of the respective radio and television programmes for the Italian national community shall carry out their tasks in line with the instructions of the respective Assistant Director General for the National Community Programme.”¹²⁹. It may be relevant to describe the placement, status and the extent of autonomy of the national community programmes within this indisputably important media institution.

Two programmes for national community programmes operate within the Radiotelevizija Slovenija and are headed by two Assistants to the Director General (Article 41: “The top management of RTV Slovenia comprises: the Director General, the Director of Radio Programmes and the Director of Television Programmes, Assistants to the Director General for Radio and Television Programmes for the Autochthonous Italian and Hungarian National Communities, respectively.”)¹³⁰ The Assistant Director General for Radio and Television Programmes for the Autochthonous Italian National Community and the Assistant Director General for Radio and Television Programmes for the Autochthonous Hungarian National Community are appointed by the Director General with the consent of the Programme Committee for the Italian National Community Programme and the Programme Committee for the Hungarian National Community Programme, respectively.¹³¹ Special requirements for the position of Assistant Director General for the Radio and Television for the autochthonous Italian national community or for the autochthonous Hungarian national community include a good command of at least one world language and a good command of the language of the autochthonous national community for which the national community programme is intended. The same requirement applies to the candidates for the position of managing editors of the radio and television programmes for the autochthonous national communities.¹³² The Programme Committees for the Italian and Hungarian National Community Programmes are important bodies within the Radiotelevizija Slovenija.¹³³

They are tasked with representing and protecting the interests of the public. They implement their programme policy in a manner which primarily serves the needs of the autochthonous national communities, ensures the exercise of constitutional rights of the Italian and Hungarian national communities in connection with radio and television public informing, and enhances the establishment of links between the national communities and their nation of origin as well as the inclusion of cultural and other achievements of the Italian and Hungarian nations in national community programmes. In exercising their powers, the programme committees for the Italian and Hungarian national community programmes are, alongside the Programme Board of RTV Slovenija, committed to the principle of ideological plurality and political independence of the public institution RTV Slovenija in relation to the state as well as other formal and informal centres of political power.

¹²⁹ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006).

¹³⁰ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006).

¹³¹ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006), Article 58.

¹³² Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/95), Articles 59 and 64.

¹³³ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006), Article 10.

A radio station broadcasting in the Italian language was established in 1949, and in 1971, a TV station. The TV station provides information for the Italian community in Slovenia and Croatia. Daily radio and television programmes are produced within the public RTV Slovenija, at the Regional RTV Centre Koper-Capodistria. There is 18 hours of radio programme daily which amounts to 126 hours weekly, while television programmes are broadcast for 9 hours on Tuesdays, Wednesdays, Fridays, Saturdays and Sundays, and for 7.5 hours on Mondays and Thursdays. Regional RTV Centre Koper-Capodistria has 155 employees working on radio and television programmes for the Italian national community in Slovenia (57 on the radio programme, 97 on the television programme, and 1 in management). Further 24 people work under permanent contract (3 for the radio programme and 21 for the television programme), 106 under temporary contract (39 for the radio programme and 67 for the television programme), while 13 people were employed through student employment services (6 for the radio programme and 7 for the television programme). Radio and television programmes for the Italian national community in the Republic of Slovenia are therefore produced by a total of 298 people. National community programmes are also co-financed by the state (Slovenian Government Office for National Minorities) pursuant to Article 30 of the Radiotelevizija Slovenija Act (Ur. l. RS No. 96/2005, ..., 105/2006).

In addition to electronic media, the Italian national community also has at its disposal printed mass media. The EDIT publishing house in Rijeka with the A.I.A. agency in Koper (the former is co-financed and the latter fully financed by Slovenia) is engaged in newspaper publishing and publishes the daily *La Voce del Popolo*. Cultural and information publications are also published in the ethnically mixed area: *La Città*, *Il Mandracchio*, *Lasa pur dir*, *Il Trillo* and other occasional editions. In addition to these, there is a range of publications issued occasionally (or in cooperation with other local printed media) by cultural associations in the ethnically mixed area. The Republic of Slovenia supports the publishing of printed media with financial grants. Due to the importance of Italian institutions, according to 1993 agreement, the Republic of Slovenia co-finances Italian institutions in the Republic of Croatia (the EDIT publishing house - Rijeka, the Italian Drama - Rijeka, the Italian Union, and the Centre for historical research in Rovinj).

Article 11: MEDIA **HUNGARIAN LANGUAGE**

With regard to the right to provide information to members of national communities, the following three problem areas have to be addressed: firstly, possibilities of national communities to create and disseminate information about themselves and about their living environment in their own language; secondly, the presence of minority issues in the media using the language of the majority nation; and lastly, the possibilities of free reception of information in the language of a national community from the nation of origin of the national community, and, consequently, the possibilities of disseminating information created by the national community to the nation of origin.

For the implementation of the above, legal provisions alone are usually not sufficient. They only represent a framework to be complemented by professionalism and the ability of information providers to place information in the media environment of their own national community and of the majority nation. Certainly, a relevant legal basis is essential for the development of the media environment. In the Media Act (Ur. l. RS Nos. 35/2001 ... 36/2008), the Republic of Slovenia has undertaken to support the mass media in the creation and dissemination of programming important to “the exercise of the right of citizens of the Republic of Slovenia, Slovenes around the world, members of the Slovene minorities in Austria, Hungary and Italy, the Hungarian and Italian ethnic communities in Slovenia, and the Roma community living in Slovenia to public information and to be informed in general.”¹³⁴

The Act further stipulates that programming must be disseminated in Slovene; “if programming is intended for the Hungarian or Italian national communities, publishers may disseminate the programming in the language of the national community.”¹³⁵ A similar provision applies to the publishing of advertising material, which must be disseminated in Slovene. Media “for the Hungarian and Italian national communities may publish advertisements in the language of the national community”.¹³⁶ Article 19 stipulates that a managing editor may be a person who possesses a certificate of active knowledge of Hungarian or Italian in the event that the mass medium is for the Hungarian or Italian national community.¹³⁷ In the Media Act, provisions relating to the Italian and Hungarian national communities may also be found under the title “Slovenian audio-visual works”, where it is stated that “under the present act Slovenian audio-visual works are works produced originally in Slovene or works intended for the Hungarian and Italian national communities in the language thereof, and works of Slovenian cultural origin from other areas of the arts”.¹³⁸ The public service of producing and disseminating national radio and television broadcasts “in the public and cultural interest of the Republic of Slovenia, including radio and television programmes of the Italian and Hungarian national communities and other programmes in accordance with a separate act, shall be carried out by the public institution Radiotelevizija Slovenija”.¹³⁹ Pursuant to Article 78, a publisher may acquire the status of a local radio or television programme if it also fulfils the following extra condition: it has programming from the lives and work of Slovenes in neighbouring countries, members of the Hungarian and Italian national communities, and Roma, if it is receivable in areas where such communities live.¹⁴⁰ In accordance with Article 108, administrative and inspection supervision of the implementation of the act is conducted by the ministry responsible for culture.¹⁴¹

¹³⁴ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 4, paragraph 1.

¹³⁵ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 5, paragraphs 4 and 7.

¹³⁶ Media Act (Ur. l. RS, Nos. 35/2001, ..., 36/2008), Article 51, paragraph 2.

¹³⁷ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 19, paragraph 1.

¹³⁸ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 68, paragraph 1.

¹³⁹ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 76, paragraph 1.

¹⁴⁰ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 78, paragraph 1.

¹⁴¹ Media Act (Ur. l. RS Nos. 35/2001, ..., 36/2008), Article 108.

The Media Act also stipulates that the dissemination of programming that encourages national, racial, religious, sexual or any other inequality, or violence and war, or incites national, racial, religious, sexual or any other hatred and intolerance is prohibited (Article 8 of the Act). It also stipulates that advertising may not incite discrimination on the grounds of race, sex or ethnicity, or political or religious intolerance (Article 47).

Mention should also be made of international legal obligations of the Republic of Slovenia arising from bilateral agreements. For the Hungarian national community, provisions relating to mass media may be found in a special agreement on the protection of national minorities between the Republic of Hungary and the Republic of Slovenia (Article 5: “The Signatories recognise the right of the minorities to information in their own language in the press, on radio and on television. To this end they shall guarantee to the minorities their own information activities. They shall support the free flow of information in the languages of the minorities and cooperation between the minority mass media and those of the majority nations. The Signatories shall ensure the reception of local radio and TV programmes, as well as radio and TV broadcasts in the mother tongue.”)¹⁴²

Radio and television activities performed as a public service are governed by the Radiotelevizija Slovenija Act. Pursuant to the Act, public service is defined as creating, producing, filing and broadcasting of “one radio and television programme each for the autochthonous Italian and Hungarian national communities (hereinafter: national community programme)”¹⁴³. By creating this programme, the RTV Slovenija shall ensure “fulfilment of constitutional rights of the Italian and Hungarian national communities in the area of public information via public radio and television, and promote ties between the national communities and their nations of origin and incorporation of cultural and other achievements of the Italian and Hungarian nations into national community programmes”¹⁴⁴. National community programmes must be received in 90 per cent of the territory inhabited by the Italian and Hungarian national communities.¹⁴⁵ National community programme or a part thereof may be leased for production by another radio and television organisation or producer “only with the consent of the Programme Committee of the national community programme in question”¹⁴⁶.

Funds for the creation, production, broadcasting and dissemination of national community programmes are partly provided by the state budget. Members of the (Italian and Hungarian) national communities are also represented on the Programme Board, each by one representative.

Programme Committees for national community programmes are central bodies that actively participate in implementing the obligations of RTV Slovenija in providing information for national communities (Programme Committees for the Italian and the Hungarian national community programmes, respectively). The

¹⁴² Agreement on Guaranteeing Special Rights of the Slovenian Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia (Ur. l. RS-MP, No. 6/1993)

¹⁴³ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 3, paragraph 1.

¹⁴⁴ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 4, paragraph 1.

¹⁴⁵ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 8, paragraph 1.

¹⁴⁶ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006), Article 9, paragraph 3.

composition and competencies of this body are laid down in Article 23 of the Radiotelevizija Slovenija Act: “The Programme Board shall appoint a Programme Committee for the Italian and one for the Hungarian national community programmes, and they shall comprise nine members each, except for those members appointed by the self-governing national communities themselves, or those elected from among themselves by employees in the editorial offices of the national community programmes. The Italian and Hungarian self-governing national communities in Slovenia shall appoint to their respective Programme Committees referred to in the preceding paragraph two-thirds of the members, for a term of four years. One member shall be appointed to each Programme Committee from among themselves by employees in the editorial offices of the radio and television programmes for the Italian and Hungarian national communities respectively.

The Programme Committees for the national community programmes shall grant their consent to the appointment of respective managing editors for the national community programmes, and to the scope and programme plan, programme standards and programme scheme, which must be in line with the material capacities of the RTV Slovenija public institution and with the regulations governing its work.

The Programme Committees for the national community programmes shall address fulfilment of the programme plan and programme production plan and also that part of the annual report of the RTV Slovenia public institution relating to the national community programmes; address the comments and suggestions of viewers and listeners of the national community programmes and indicate their position in this regard; offer initiatives to the Programme Board for dealing with issues in the area of the national community programmes; perform other tasks in the area of national community programmes where so provided by the Statute.”¹⁴⁷.

Detailed provisions on the work of Programme Committees for the national community programmes are included in the Statute of RTV Slovenija, which is also provided for in Article 29 of the Radiotelevizija Slovenija Act. The radio and television stations in the Hungarian language (similarly as applies to programmes in the Italian language) operate within the national radio and television network (Article 70: “The following units are organized within RTV Slovenija: (...) programme and production unit Regional RTV Centre Koper – Centro regionale RTV Koper - Capodistria (PPU-RC KP); programme-production unit Regional RTV Centre Maribor with a studio for the Hungarian programme in Lendava – Magyar Műsorok Stúdiója, Lendva;”; Article 77: The Regional RTV Centre Maribor creates, prepares, broadcasts and files regional television and radio programmes, television and radio programmes for the Hungarian national community, television and radio programmes for the Slovenian national minorities in Austria and Hungary, and prepares broadcasts for the national radio and television programmes as well as for the radio programme for foreign audiences.”; Article 78: “The radio and television programmes described in the previous article are prepared by: the two editorial offices of the respective regional radio and television programmes in the Slovene language, the two editorial offices of the respective radio and television programmes for the Hungarian national community in the Hungarian language, and the editorial office

¹⁴⁷ Radiotelevizija Slovenija Act (Ur. l. RS Nos. 96/2005, ..., 105/2006).

of the radio programme for foreign audiences. The preparation of the regional television and radio programmes in the Slovene language, the television and radio programmes for the Hungarian national community in the Hungarian language, and the radio programme for foreign audiences is conducted and coordinated by the managing editors of these programmes. The managing editors of the radio and television programmes for the Hungarian national community carry out their tasks in line with the instructions of the respective Assistant to the Director General for National Community Programmes.”¹⁴⁸ It may be relevant to describe the placement, status and the extent of autonomy of the national community programmes within this indisputably important media institution.

Two programmes for national community programmes operate within the Radiotelevizija Slovenija and are headed by two Assistants to the Director General (Article 41: “The top management of RTV Slovenia comprises: the Director General, the Director of Radio Programmes and the Director of Television Programmes, Assistants to the Director General for Radio and Television Programmes for the Autochthonous Italian and Hungarian National Communities, respectively.”)¹⁴⁹ The Assistant Director General for Radio and Television Programmes for the Autochthonous Italian National Community and the Assistant Director General for Radio and Television Programmes for the Autochthonous Hungarian National Community are appointed by the Director General with the consent of the Programme Committee for the Italian National Community Programme and the Programme Committee for the Hungarian National Community Programme, respectively.¹⁵⁰ Special requirements for the position of Assistant Director General for the Radio and Television for the autochthonous Italian national community or for the autochthonous Hungarian national community include a good command of at least one world language and a good command of the language of the autochthonous national community for which the national community programme is intended. The same requirement applies to the candidates for the position of managing editors of the radio and television programmes for the autochthonous national communities.¹⁵¹ The Programme Committees for the Italian and Hungarian National Community Programmes are important bodies within the Radiotelevizija Slovenija.¹⁵²

They are tasked with representing and protecting the interests of the public. They implement their programme policy in a manner which primarily serves the needs of the autochthonous national communities, ensures the exercise of constitutional rights of the Italian and Hungarian national communities in connection with radio and television public informing, and enhances the establishment of links between national communities and their nation of origin as well as the inclusion of cultural and other achievements of the Italian and Hungarian nations in national community programmes. In exercising their powers, the Programme Committees for the Italian and Hungarian national community programmes are, alongside the Programme Board of RTV Slovenija, committed to the principle of ideological

¹⁴⁸ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006).

¹⁴⁹ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006).

¹⁵⁰ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006), Article 58.

¹⁵¹ Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006), Articles 59 and 64.

¹⁵² Statute of the Public Institution Radiotelevizija Slovenija (Ur. l. RS No. 106/2006), Article 10.

plurality and political independence of the public institution RTV Slovenija in relation to the state as well as other formal and informal centres of political power.

The first step towards informing the members of the Hungarian national community in their mother tongue was made in 1956 when a supplement in the Hungarian language entitled *Népújság* was added to the local newspaper *Pomurski vestnik*. Since 1958 *Népújság* has been published as an independent weekly. It has a circulation of approximately 2000 copies, and about 1600 subscribers. Every year the editorial office also prepares an almanac entitled *Neptár*. In 1986 the first issue of a special literary and cultural supplement to the weekly *Népújság* was published entitled *Muratáj*, which in 1988 became an independent literary magazine under the same name. All these publications are published by the Institute for the Information Activity of the Hungarian National Community which was founded in 1993.

The library activity of the Hungarian national community is carried out within the Regional and Study Library in Murska Sobota. There is also a special bookshop for books in the Hungarian language in Lendava. Certain municipalities autochthonously settled by the Hungarian national community (the Goričko Hungarians: Moravske Toplice, Šalovci, Hodoš) are also visited by a mobile library on a regular basis.

The Lendava Library (Knjižnica Lendava - Könyvtár Lendva) is another independent public institution based in the ethnically mixed area. It has been established by the Lendava and Dobrovnik Municipalities together with the Hungarian Self-governing Community of the Lendava Municipality and the Self-governing Community of the Dobrovnik Municipality (Ordinance on the Establishment of the Public Institute Lendava Library – Könyvtár Lendva, Ur. l. RS No. 8/2004). The library performs services for other municipalities on a contractual basis. The library is based in the ethnically mixed area and provides library services also for members of the Hungarian national community. It falls in the 3rd group of libraries and covers the municipalities of Lendava, Dobrovnik, Črenšovci, Kobilje, Odranci, Turnišče and Velika Polana. The Lendava Library has 12 affiliated local libraries in this area, 7 in the monolingual and 5 in the bilingual area. The library also provides the expertise and organisation of the library services intended for the Hungarian national community. It purchases, processes, stores, conserves and provides books and other material in the Hungarian language as well. The library also collects the material on homeland studies.

Radio and television programmes for the Hungarian national community are produced within the public Radiotelevizija Slovenija, at the Regional RTV Centre Maribor – Hungarian Programmes Studio Lendava. There are 18 hours and 15 minutes of radio programmes daily, including on Saturday and Sunday, while the television programmes comprise the TV series MOSTOVI-HIDAK (Bridges) that is broadcast by the national television (Programme I) and by the regional TV programme Maribor. 30-minute episodes of the MOSTOVI-HIDAK series are broadcast by the national television four times per week (with an additional rerun of each episode) through most of the year, and three times per week (plus reruns) in the summertime. The 30-minute episodes are also shown four times per week by the Regional Programme Maribor through most of the year, and three times per week in the summertime. To ensure the operation of this institution falling within

the system of RTV Slovenija, a certain number of staff members have permanent employment and a number of them are working on permanent contract (a special fee is collected by the national TV for this purpose). In the studio for the Hungarian programme in Lendava a total of 29 staff members are employed on a full time basis at the radio and television programmes. Further 13 people work under permanent contract for both radio and television programmes, and 67 under temporary contract. One person was employed through student employment services. Radio and television programmes for the Hungarian national community in the Republic of Slovenia are therefore produced by a total of 110 persons. National community programmes are also co-financed by the state (Slovenian Government Office for National Minorities) pursuant to Article 30 of the Radiotelevizija Slovenija Act (Ur. l. RS No. 96/2005, ..., 105/2006).

ADDITIONAL CLARIFICATIONS

Additional clarifications to certain questions of the Committee of Experts regarding the application of Article 11 of the Charter:

Second Report of the Committee of Experts on the Charter, paragraphs 115, 116, 174

The new Radiotelevizija Slovenija Act¹⁵³ fulfilled reasonable expectations of national communities.

Second Report of the Committee of Experts on the Charter, paragraph 173

The current situation in this field is included in the chapter on Article 11.

Article 12: CULTURAL ACTIVITIES AND FACILITIES INTRODUCTION

The Republic of Slovenia has undertaken to apply the following paragraphs and/or sub-paragraphs:

for the Italian and Hungarian languages: paragraph 1 a, d, e, f;
paragraph 2,
paragraph 3.

Slovenia has included cultural heritage and contemporary cultural production of the two national communities in the cultural heritage of the Slovenian state and these have been accorded the same protection as the cultural production of the majority nation, as is evident from the Exercising of the Public Interest in Culture

¹⁵³ Ur. l. RS Nos. 96/2005, ..., 105/2006.

Act¹⁵⁴ (see below for more detail). The Cultural Heritage Protection Act¹⁵⁵, stipulates in Article 1, paragraph 2 that heritage is items inherited from the past that Slovenians, members of the Italian and Hungarian national communities and the Roma community as well as other citizens of the Republic of Slovenia consider to be a reflection and expression of their values, identities, religious and other beliefs, knowledge and traditions.

The Republic of Slovenia has therefore undertaken to protect cultural heritage in its territory regardless of the ethnic origin. Provisions concerning the culture of national communities may also be found in the Fund for Amateur Cultural Activities of the Republic of Slovenia Act (Article 5, paragraph 2: “*Based on an agreement with a local community or a self-governing community of the autochthonous Italian and Hungarian national communities in Slovenia, the Fund may also perform tasks under the foregoing paragraph for the aforementioned communities.*”)¹⁵⁶ Librarianship Act¹⁵⁷ (see below for more detail) and the Institutions Act (Article 3, paragraph 4: “*A Self-governing national community shall have the right to co-found or found a public institution which performs activities important for the exercise of the rights of the national community.*”)¹⁵⁸.

A Sector for Minority Cultural Rights and the Development of Cultural Diversity (hereinafter: the Sector) has been set up within the Ministry of Culture, which is responsible for cultural activities of the national communities, the Roma community and different minority ethnic groups. The basic principle of the Sector's activity is to understand cultural rights as a category of human rights and cultural diversity as the richness of coexistence and a commitment to create equal opportunities for all who wish to take part in cultural life.

The following legal bases apply in domestic legislation: Article 61 of the Constitution of the Republic of Slovenia in respect of different minority ethnic groups, Article 64 of the Constitution in respect of the Italian and Hungarian national communities, and Article 65 in respect of the Roma community. The sector-specific law regulating this area is the Exercising of the Public Interest in Culture Act (2007, hereinafter: the Act). Article 6 of the Act stipulates that cultural events in the areas defined as ethnically mixed must also be announced (posters, official invitations etc.) in the Italian or Hungarian language. Article 8 states, among other things, that the public interest in culture is also exercised through ensuring conditions for cultural diversity. A very important article in ensuring conditions for cultural development and professionalisation of cultural work is Article 31 of the Act which stipulates that the financing of public institutions, which the Italian and Hungarian national communities may found in order to meet their needs in the field of culture, is provided for the Italian and Hungarian national communities by the state within the framework of the funds allocated to the Italian and Hungarian national communities.

¹⁵⁴ Exercising of the Public Interest in Culture Act (Ur. l. RS Nos. 96/2002, ..., 56/2008).

¹⁵⁵ Cultural Heritage Protection Act (Ur.l. RS No. 16/2008).

¹⁵⁶ Fund for Amateur Cultural Activities of the Republic of Slovenia Act (Ur. l. RS Nos. 1/1996, ..., 22/2000).

¹⁵⁷ Librarianship Act (Ur. l. RS Nos. 87/2001, ..., 16/2002).

¹⁵⁸ Institutes Act (Ur. l. RS Nos. 12/1991, ..., 127/2006).

Article 59 of the Act stipulates that the provisions applicable to the provision of public cultural programmes, shall apply *mutatis mutandis* to the provision of the programmes of the Italian and Hungarian national communities, where the contract under Article 93 of the Act shall be concluded without a public invitation for applications on the basis of a direct invitation. In this way effect has been given to the legal personality of the core national communities' organisations, as defined in the Self-Governing National Communities Act (1994). Article 65 of the Act defines the competences of the state as regards the funding of programmes and projects, including those aimed at autochthonous Italian and Hungarian national communities and the Roma community, as well the cultural integration of other minority communities and immigrants if their cultural programmes and/or projects extend beyond local importance. The following articles of the Act are also relevant in creating conditions for the implementation of diverse cultural projects in the Republic of Slovenia: 74. Article 74 stipulates that the ministry responsible for culture and/or the competent body of the local community shall entrust the use or management of public cultural infrastructure to other legal persons and individuals providing public cultural programmes or cultural projects on the basis of a public call for applications by means of the contract under Article 93 of the Act. Article 75 states that public cultural infrastructure shall be brought into use by providers of cultural activities free of charge on condition that they assume the obligation of regular maintenance. According to Article 79, the state or local community may even provide funds to a provider of cultural activities, covering the costs of suitable premises for their activity. The Act thus helps create conditions for state and local authorities to intensify their concern for the integration of minority programmes.

The new National Cultural Programme envisaged under Article 10 of the Act, which was adopted in 2008 by a National Assembly resolution, devotes particular attention to cultural awareness and awareness-raising of different ethnic groups of their cultural rights as one of the preconditions for integration into open society, based on an individual's autonomy and freedom. The National Cultural Programme stipulates that the use of the languages of the Roma community and other minority ethnic groups in Slovenia will be promoted, especially in the media of such groups, from printed to electronic ones, in language courses and cultural manifestations organised by these groups. The Roma Community Act and the National Cultural Programme in particular state that cultural policies will provide support for cultural activities of different ethnic groups in their efforts to preserve their respective languages. Priority support will be given to diverse ethnic contents, minority cultures as well as the programmes and projects of vulnerable groups. It is stated in the objectives that one of the measures for improving conditions promoting cultural diversity is support provided to linguistic projects and specific support for authors of national communities, the Roma community, different minority ethnic groups, immigrants and vulnerable groups as well as support for professional projects aimed at improving linguistic capabilities. Moreover, concern is also given to involving minority communities in formulating measures aimed at them. In improving conditions for social inclusion, special support is provided for those projects of the programme which are financed by the European Social Fund and are designed above all for resolving human resources difficulties.

Article 3 of the Public Use of the Slovene Language Act (2004) stipulates that in the territories where the Italian or the Hungarian national community lives, the public use of Italian or Hungarian as the official language shall be guaranteed in the manner as regulated by the Act for the public use of Slovene and in accordance with the provisions of individual sector-specific laws. Article 1 of the Act stipulates that Slovene is the official language of the Republic of Slovenia. It is the language of oral and written communication in all spheres of public life in the Republic of Slovenia, except where Italian and Hungarian are also official languages in accordance with the Constitution of Slovenia, and when the provisions of international agreements that are binding on the Republic of Slovenia specifically allow also the use of other languages. The Resolution on National Programme for Language Policy (2007) voices concern for ensuring an adequate status to the languages of autochthonous national communities in Slovenia and particularly the development of the Roma language.

Article 25 of the Librarianship Act stipulates that general libraries in ethnically mixed areas also provide services for members of the Italian and Hungarian national communities and the Roma community. The libraries offer members of these national communities the opportunity to communicate in their respective languages. General libraries formulate the programme of activities in agreement with representatives of national communities. Articles 16 and 33 are also important for the creation of broader conditions for cultural diversity. Article 16 stipulates that public libraries carrying out library activities for the population in their locality also provide services for groups of the population with special needs, while Article 33 sets out the functioning of the national library, i.e. the central state library. The latter also collects, processes, stores and mediates the library material of the members of the Italian and Hungarian national communities, the Roma community and other minority communities as well as basic foreign literature. Amendments to the Rules on conditions for providing library services as a public service took effect in 2008 and encompass minor modifications aimed at simplifying procedures and achieving uniformity of explanation as well as editing corrections. The fundamental principle of the Rules is to define minimum conditions for carrying out library activities as a public service in the Republic of Slovenia. The objective was to supplement solutions that pose financing difficulties in practice. With the amended Rules the standards for the stock and acquisition of library material intended for the Italian and Hungarian national communities have been upgraded.

In this context, it may be relevant to add that within the information and documentation centre in the area of the protection of cultural heritage (INDOK) at Metelkova 4 in Ljubljana – which also houses the seat of the Sector for Minority Cultural Rights and the Development of Cultural Diversity – in September 2004 a special section was set up for the works written in different minority languages and thus far financed by the Ministry of Culture. Creations in the languages in the territory of the Republic of Slovenia are also presented there.

In general, it may be noted that the creation of conditions for cultural diversity is efficiently regulated at the normative level. As far as organisational measures of the Ministry of Culture are concerned the following needs to be pointed out.

The Ministry of Culture has established three programmes with a view to creating conditions for the protection of cultural rights of minorities and development of cultural diversity, thus enriching our lives together: a **special programme** for the protection of the rights of minorities' members considering special circumstances in which they live and in compliance with the respect for prerogatives of minority and vulnerable groups, an **integration** programme to implement the principle of equal rights for all, irrespective of their ethnic identity, and a **programme financed by the European Social Fund** intended for the training and employment of human resources. The latter was introduced in 2008. In the same year, the Ministry of Culture published a call for applications for the selection of development projects to improve the employability of vulnerable social groups in the field of culture and support their social inclusion within the European Social Fund. The call for applications is aimed at improving employability of vulnerable group members in the field of culture through the training of their own experts while intensifying concern for the inclusion of vulnerable social groups in cultural life and society in general.

The Ministry has set up a special model (doctrine) for the protection of cultural rights of special social groups (doctoral thesis of the head of the Sector) which is being upgraded and comprises normative, organisational and financial instruments to develop both special protection measures and measures aimed at minority culture integration. Based on the principle of supporting cultural diversity, the Ministry, with its services and funds, is open to a large variety of providers of cultural programmes and projects; nevertheless, in doing this, the Ministry is bound by the Constitution and applicable legislation. However, in accordance with the General Administrative Procedure Act and Exercising of the Public Interest in Culture Act only the applications officially sent to the Ministry of Culture can be taken into consideration.

The Table in Annex 1, page 122 (Language Preservation Projects for 2006, 2007, and 2008) shows specific projects financed by the Ministry of Culture within the special and integration programmes. The Ministry of Culture allocated, on the basis of the approved cultural programme for 2006, 2007 and 2008, relating to language preservation and encompassing librarian activity, publishing activity, language preservation, as well as courses and lectures a total of 193,014.04 euros to the Italian national community. The Hungarian national community was allocated, on the basis of the approved cultural programme for language preservation for 2006, 2007 and 2008 and encompassing librarian activity, publishing activity, preservation of the mother tongue, as well as courses and lectures a total of 308,967.46 euros. On the basis of the approved projects for the years 2006, 2007 and 2008, aimed at preserving the language and comprising literary activity, publishing activity, media activity, as well as courses and lectures a total of 107,960.11 euros was allocated to the Roma community.

Furthermore, the Ministry of Culture cooperates with the Administration Academy in Ljubljana; the Head of the Sector has prepared a course pack on minority cultural rights which, as a lecturer at the Academy, she is to use in local communities with ethnically mixed population. Their aim is to allow for better understanding of the significance of integration and, consequently, higher awareness of the majority population as regards cultural rights of the members of minority communities. The Sector also provides special services intended for

raising cultural creativity and promotion of minority artists. In this regard, a special measure has been introduced: an open door day of the Head of the Sector intended for artists .

In addition to general and specific statements relating to legislation and policy as well as practice that reflect the implementation of the Charter, either directly and indirectly, there are special highlights in the continuation relating to specific provisions of Article 12.

Ad. 12.1.a

The Ministry of Culture systematically encourages and finances (through the established special and integration programmes as well as European programme) various initiatives and promotes different opportunities for access to works in different languages (support for cultural diversity), in libraries, in INDOK libraries, etc. Specific projects relating to minority languages and financed by the Ministry of Culture for 2006, 2007 and 2008 are shown in Annex 1 on page 122.

A novelty introduced in 2007 by the Ministry of Culture for the German speaking ethnic group should be highlighted in particular. This is an additional programme based on the bilateral agreement with Austria. Projects financed by the Ministry of Culture are shown in Annex 2 on page 133.

Ad 12.1.d

The objectives of the minority cultural policy derive from the multicultural character of Slovenian society, existence of different cultures in the territory of the Republic of Slovenia which are a source of diversity and facilitate the creative intertwining of cultural patterns and promotion of cultural activity in the languages of minority communities. Development projects registered under the special programme of the Ministry of Culture will enjoy particular support with the prospect of their subsequent inclusion in the integration programme. The Ministry of Culture will also encourage professionally devised and conducted activities aimed at preserving the language (e.g. linguistic research) and at developing linguistic culture and creativity (e.g. literary contests).

Ad 12.1.e

Staff members employed in the Sector have command of the following languages: Croatian, English, German, Hungarian, Italian, and Serbian. This enables them to follow linguistic creativity in different languages. The Sector systematically analyses the received publications and material, and draws up opinions and proposals.

Ad 12.1.f

The Sector ensures direct participation of the applicants for minority programmes and projects in the shaping of the special programme in line with the principle according to which the minority community may define its own programme.

Furthermore, counselling is organised for relevant minority representatives with a view to acquainting them in detail with laws and implementing regulations as well as the objectives, principles and criteria of the minority cultural policy in order to ensure that in planning cultural activities, a formal rejection of their proposals may be avoided. Each year a problem report on the fulfilment of the programme is prepared, in which those implementing the programme are invited to present proposals for the improvement of the minority cultural policy. The Sector won recognition by members of the minority communities recognised under the Constitution for consistent implementation of Article 15 of the Self-Governing Ethnic Communities Act which requires that the opinion of these communities be obtained in matters pertaining to them. The same applies to the treatment of the Roma community in compliance with the Roma Community Act governing the status and special rights of the Roma community in Slovenia, the powers of state authorities and self-governing national community bodies for the implementation of these rights, and participation of members of the Roma community in exercising their rights and obligations provided by law. Furthermore, the Roma Community Act stipulates in Article 4, item 3, that the Republic of Slovenia promotes the preservation and development of the Romani language as well as the cultural, information and publishing activity of the Roma community.

Ad 12. 2.

Annex 3 on page 135 (Cultural activity of different minority groups in Slovenia – by municipalities) shows municipalities in Slovenia in which organisations of national communities, the Roma community and different minority societies operate; these already responded to the call for applications of the Ministry of Culture and were provided with its services. Minority societies operate in municipalities listed in Annex 3, page 135, and, through their language, enrich the local cultural life.

Ad 12.3.

Slovenia promotes cultural diversity as a value of co-existence and is a culturally diverse society, in which different languages are spoken and different cultural features promoted.

Conclusion

Since until 2004 funds set aside on a special account for various minority communities were rather limited, the Ministry of Culture increased funding for the special programme for different minority communities – until then the most modest one – by more than 100 per cent in 2005 (82,445.00 euros was allocated in 2004 and 74,708.00 euros in 2005). The Ministry of Culture also provided for another possibility of financing these communities by drawing on the European Social Fund. The Head of the Sector takes an active part in different working bodies at the government level. The Ministry provided various services to minority communities in order to improve the conditions for minority cultural activities, e.g. expert counselling on the drafting of applications; services for minority artists; legal counselling in the exercise of cultural rights as a category of human rights; mediating, giving recommendations and discussing integration of

minority programmes with representatives of public institutions; mediation; organising workshops, etc. Special mention should be made of the cooperation of the Sector with scientific and research organisations and eminent experts in minority matters in preparing the grounds for decision-making (e.g. Institute for Ethnic Studies, Faculty of Arts, Scientific Research Centre of the Slovenian Academy of Sciences and Arts). The Sector is aware that minority issues are very sensitive and that all proposals for cultural policy measures should rest on well-founded theoretical and empirical bases. Cooperation of the Sector with NGO's (Amnesty International, Peace Institute and others) has also been set up in order to ensure to the greatest extent possible that conceptual bases and cultural policy in this domain be well thought out and responsive to the cultural needs of members of the minority communities; at the same time they should on the one hand facilitate the preservation of cultural and linguistic characteristics and on the other effective social integration that will provide for full exercise of cultural rights, full social responsibility of the holders of such rights, and equal opportunities for participation in cultural life regardless of the ethnic identity of individuals.

Article 12: CULTURAL ACTIVITIES AND FACILITIES **ITALIAN LANGUAGE**

The Italian Centre for Promotion, Culture, Education and Development *Carlo Combi, Koper*¹⁵⁹ - *Centro Italiano di Promozione, Cultura, Formazione e Sviluppo Carlo Combi Capodistria* was set up in 2007 with the aim of becoming a reference point for all those who wish to develop ideas and projects regarding the Italian language, culture and relations between the Italian community and the Slovenian majority population. The reconstructed Manzioli Palace in Izola is of great significance for the creativity of the Italian national community. In this project, Slovenia provided financial support for the restoration of the palace and co-financed the furnishing of its library. In addition to the already mentioned cultural institutions of the Italian national community, two institutions based in Croatia also deserve mentioning: the Historic Research Centre in Rovinj and the Italian Theatre in Rijeka. Slovenia contributes a proportionate share of funds for the operation of both institutions.

The Central Library of Srečko Vilhar Koper - *Biblioteca centrale Srečko Vilhar Capodistria* is of importance to the Italian national community. The library has an Italian department which carries out the basic activity for libraries in the Slovenian parts of Istria as well as for the institutions and schools of the Italian national community in the littoral. Library material in the Italian language is also available in Municipal Library Piran (*Biblioteca Civica di Pirano*) and in Library Izola (*Biblioteca Civica di Isola*).

Article 12: CULTURAL ACTIVITIES AND FACILITIES **HUNGARIAN LANGUAGE**

The Ministry of Culture provides, on a regular basis, funds for the Hungarian Institute for Culture – *Magyar Nemzetiségi Művelődési Intézet*, which has been

¹⁵⁹ Website of the Centre: <http://www.centrocarlocombi.net/ita>.

developing different projects for the preservation of the Hungarian language. The Institute harmonises and directs the activities of more than 30 Hungarian community cultural societies. These societies are active in numerous fields of cultural production, from folklore performances to original creative achievements. The cultural production of the Hungarian national community is often presented in Hungary. A cultural centre Bánffy is operating within the Hungarian Institute for Culture where only Hungarian literature and periodicals are sold. With its cyber-café and modern multimedia equipment, the centre is the venue for various meetings and small events. These activities have further extended by the opening of the Lendava Cultural Centre (2004) which provides a meeting place for Hungarian literary and other artists.

Library material in the Hungarian language is being collected and kept in libraries in Murska Sobota and Lendava. There is a special department for Hungarian studies within the Regional and Study Library in Murska Sobota. The Hungarian language collection contains some 30,000 units, representing more than 13 per cent of the entire material. The activity of the Lendava Library - *Könyvtar Lendva* is no less important. The library is an autonomous institution operating in the ethnically mixed area. It was founded by the Lendava Municipality and co-founded by the Hungarian self-governing national community of the same municipality. The library collection contains around 96,000 units, 40 per cent of which are in the Hungarian language. Apart from the main library in Lendava, there are also five local libraries in the ethnically mixed area: Dolina, Dobrovnik, Gaberje, Genterovci and Petišovci.

ADDITIONAL CLARIFICATION

Additional clarification to the question of the Committee of Experts regarding the application of Article 12 of the Charter:

Second Report of the Committee of Experts on the Charter, paragraph 175

In principle, there is a possibility for funding to meet cultural needs outside the area of autochthonous settlement. This is a constitutive element of each call for applications. No such initiative has been submitted to the Ministry of Culture so far.

Encl: 3 Annexes

1. Language preservation projects for 2006, 2007 and 2008, page 122;
2. Cultural projects of special importance intended for the members of the German-speaking ethnic group in Slovenia for 2008, page 133;
3. Cultural activity of different minority groups in Slovenia – by municipalities, page 135.

Article 13: ECONOMIC AND SOCIAL LIFE
ITALIAN LANGUAGE

The Republic of Slovenia has undertaken to apply the following paragraphs in respect of the Italian and Hungarian languages: paragraph 1,
paragraph 2.

Based on the “Analysis of the status and exercising of special rights of the Italian and Hungarian national communities in the Republic of Slovenia and in light of the implementation of laws, implementing and other regulations, as well as the identification of possible measures for their preservation, support and further development”, the Government Office for National Minorities proposed some solutions in 2004 to the exercising of bilingualism in the economic domain. The legislation presented above shows that any discouraging of the use or exclusion of regional and minority languages in economic activities in ethnically mixed areas is prohibited. To the contrary, Article 11 of the Companies Act¹⁶⁰ advises that the Italian and Hungarian languages be used on an equal footing in the Articles of Association of the company operating in areas inhabited by the Italian and Hungarian national communities.

The issue regarding the use of language in business operations with consumers, which has remained unsettled some time, has been finally resolved to the benefit of the two national communities. The above issue was resolved through the recent amendments to the 2007 Consumer Protection Act¹⁶¹ at the normative level; in 2008, this issue was also settled at the implementation level through the implementing regulation, i.e. the Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities¹⁶². The Rules specify business processes in which companies, in the areas of autochthonous settlement of the Italian and Hungarian national communities, must use the Slovene language and the language of the respective national community (information relating to the characteristics, sales conditions, intended use of the product, composition and the use of products or services, price lists, opening times). In order to ensure sufficient time to companies to adapt to new operating conditions, the Rules will take effect on 1 August 2009. The Market Inspectorate of the Republic of Slovenia will monitor the implementation of these Rules by companies.

In accordance with the applicable Consumer Protection Act, advertisements in the areas of autochthonous settlement of the Italian or Hungarian national community may also be in the language of the respective national community. No dilemmas should arise concerning the exercising of bilingualism in public or private economic and social services, since obligations, imposed on companies by the Consumer Protection Act (Article 1), are also binding on institutions and other organisations which provide consumers with goods and services, including health care and social welfare institutions (hospitals, elderly homes etc.). The

¹⁶⁰ Companies Act (Ur. l. RS No. 42/2006 (Ur. l. RS 60/2006 – amended)), Workers’ Participation in Management Act (Ur. l. RS No. 26/2007), Act Amending the Court Register Act (Ur. l. RS No. 33/2007), Financial Instruments Market Act (Ur. l. RS Nos. 67/2007 (100/2007 – amended), 10/2008, 68/2008).

¹⁶¹ Consumer Protection Act (Ur. l. RS No. 98/2004 – official consolidated text 2 and 126/2007).

¹⁶² Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities (Ur. l. RS No. 78/2008).

implementation of the Consumer Protection Act is also monitored by the Market Inspectorate of the Republic of Slovenia which has not noted any major violations of the provisions of the Act in the market.

The use of languages of the Italian and Hungarian national communities is also regulated in the area of health care. Medical and non-medical professionals, carrying out work in direct contact with patients, must speak Slovene and, in bilingual areas, also the language of the respective national community. The fulfilment of the stipulated condition is proven by a public certificate on the completed secondary school or a certificate of the educational institution (Article 63 of the Health Services Act¹⁶³).

Article 11 of the General Practitioner Services Act¹⁶⁴ stipulates that a general practitioner uses Slovene when practicing and, in bilingual areas of the Italian and Hungarian national communities, he/she shall also speak Italian and Hungarian, respectively. The knowledge of the language is proven by a certificate of the concluded secondary school or of the educational institution.

With regard to the above legal acts, Article 6 of the Act Regulating the Pursuing of Health Professions in the Republic of Slovenia by Citizens of Other EU Member States,¹⁶⁵ stipulates, *inter alia*, that Article 63 of the Health Services Act and Article 11 of the General Practitioner Services Act cease to apply to foreign medical professionals on the day of accession of the Republic of Slovenia to the European Union.

The above Act also stipulates that a foreign medical professional uses Slovene in his/her work, and, in the areas of the Italian or Hungarian national community, he/she shall also speak Italian and Hungarian, respectively. An employer stipulates in the relevant acts the level of knowledge of the language and the manner of testing the fulfilment of this condition for individual posts (Article 3). When the user of health services does not have the command of the language under Article 3 of the Act, communication between a foreign medical professional and the user of health services may be held in the language, understandable to the user.

The Patients Rights Act¹⁶⁶ stipulates that patients have the right to be addressed by medical and non-medical professionals in Slovene or, in the areas of local communities where, in addition to Slovene, Italian or Hungarian are also official languages, the language of the national community (Article 19).

In accordance with Article 10, paragraph 1 of the Rules regulating the advertising of medicinal products¹⁶⁷, advertisements must be in the Slovene language; in the areas inhabited by the Italian and Hungarian national communities, advertisements may also be in the language of the respective national community. Notwithstanding the provision of paragraph 1, literature enclosed with advertising material for the professional public may also be in the source language of an article. At international professional meetings in Slovenia, advertisements and advertising material may also be in the language of the event or languages of the participants of the event.

¹⁶³ Ur. l. RS Nos. 9/1992, ..., 77/2008.

¹⁶⁴ Ur. l. RS Nos. 98/1999, ..., 58/2008.

¹⁶⁵ Ur. l. RS Nos. 86/2002, 2/2004.

¹⁶⁶ Ur. l. RS No. 15/2008.

¹⁶⁷ Ur. l. RS No. 105/2008.

Article 13: ECONOMIC AND SOCIAL LIFE
HUNGARIAN LANGUAGE

The Republic of Slovenia has undertaken to apply the following paragraphs in respect of the Italian and Hungarian languages: paragraph 1, paragraph 2.

Based on the “Analysis of the status and exercising of special rights of the Italian and Hungarian national communities in the Republic of Slovenia and in light of the implementation of laws, implementing and other regulations, as well as the identification of possible measures for their preservation, support and further development”, the Government Office for National Minorities proposed some solutions in 2004 to the exercising of bilingualism in the economic domain. The legislation presented above shows that any discouraging of the use or exclusion of regional and minority languages in economic activities in ethnically mixed areas is prohibited. To the contrary, Article 11 of the Companies Act¹⁶⁸ advises that the Italian and Hungarian languages be used on an equal footing in the Articles of Association of the company operating in areas inhabited by the Italian and Hungarian national communities.

The issue regarding the use of language in business operations with consumers, which has remained unsettled some time, has been finally resolved to the benefit of the two national communities. The above issue was resolved through the recent amendments to the 2007 Consumer Protection Act¹⁶⁹ at the normative level; in 2008, this issue was also settled at the implementation level through the implementing regulation, i.e. the Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities¹⁷⁰. The Rules specify business processes in which companies, in the areas of autochthonous settlement of the Italian and Hungarian national communities, must use the Slovene language and the language of the respective national community (information relating to the characteristics, sales conditions, intended use of the product, composition and the use of products or services, price lists, opening times). In order to ensure sufficient time to companies to adapt to new operating conditions, the Rules will take effect on 1 August 2009. The Market Inspectorate of the Republic of Slovenia will monitor the implementation of these Rules by companies.

In accordance with the applicable Consumer Protection Act, advertisements in the areas of autochthonous settlement of the Italian or Hungarian national community, may also be in the language of the respective national community. No dilemmas should arise concerning the exercising of bilingualism in public or private utility and social services, since obligations, imposed on companies by the Consumer Protection Act (Article 1), are also binding on institutions and other organisations which provide consumers with goods and services, including health care and social welfare institutions (hospitals, elderly homes etc.). The implementation of

¹⁶⁸ Companies Act (Ur. l. RS No. 42/2006 (60/2006 – amended)), Workers’ Participation in Management Act (Ur. l. RS No. 26/2007), Act Amending the Court Register Act (Ur. l. RS No. 33/2007), Financial Instruments Market Act (Ur. l. RS Nos. 67/2007 (100/2007 – amended), 10/2008, 68/2008).

¹⁶⁹ Consumer Protection Act (Ur. l. RS No. 98/2004 – official consolidated text 2 and 126/2007).

¹⁷⁰ Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities (Ur. l. RS No. 78/2008).

the Consumer Protection Act is also monitored by the Market Inspectorate of the Republic of Slovenia which has not noted any major violations of the provisions of the Act in the market.

The use of languages of the Italian and Hungarian national communities is also regulated in the area of health care. Medical and non-medical professionals, carrying out work in direct contact with patients, must speak Slovene and, in bilingual areas, also the language of the respective national community. The fulfilment of the stipulated condition is proven by a public certificate on the completed secondary school or a certificate of the educational institution (Article 63 of the Health Services Act¹⁷¹).

Article 11 of the General Practitioner Services Act¹⁷² stipulates that a general practitioner uses Slovene when practicing and, in bilingual areas of the Italian and Hungarian national communities, he/she shall also speak Italian and Hungarian, respectively. The knowledge of the language is proven by a certificate of the concluded secondary school or of the educational institution.

With regard to the above legal acts, Article 6 of the Act Regulating the Pursuing of Health Professions in the Republic of Slovenia by Citizens of Other EU Member States,¹⁷³ stipulates, *inter alia*, that Article 63 of the Health Services Act and Article 11 of the General Practitioner Services Act cease to apply to **foreign** medical professionals on the day of accession of the Republic of Slovenia to the European Union.

The above Act also stipulates that a foreign medical professional uses Slovene in his/her work, and, in the areas of the Italian or Hungarian national community, he/she shall also speak Italian and Hungarian, respectively. An employer stipulates in the relevant acts the level of knowledge of the language and the manner of testing the fulfilment of this condition for individual posts (Article 3). When the user of health services does not have the command of the language under Article 3 of the Act, communication between a foreign medical professional and the user of health services may be held in the language, understandable to the user.

The Patients Rights Act¹⁷⁴ stipulates that patients have the right to be addressed by medical and non-medical professionals in Slovene or, in the areas of local communities where, in addition to Slovene, Italian or Hungarian are also official languages, the language of the national community (Article 19).

In accordance with Article 10, paragraph 1 of the Rules regulating the advertising of medicinal products advertisements must be in the Slovene language; in the areas inhabited by the Italian and Hungarian national communities, advertisements may also be in the language of the respective national community. Notwithstanding the provision from paragraph 1, literature enclosed with advertising material for the professional public may also be in the source language of an article. At international expert meetings in Slovenia, advertisements and advertising material may also be in the language of the event or languages of the participants of the event.

¹⁷¹ Ur. l. RS Nos. 9/1992, ..., 77/2008.

¹⁷² Ur. l. RS Nos. 98/1999, ..., 58/2008.

¹⁷³ Ur. l. RS Nos. 86/2002, 2/2004.

¹⁷⁴ Ur. l. RS No. 15/2008.

ADDITIONAL CLARIFICATIONS

Additional clarifications to questions of the Committee of Experts regarding the application of Article 13 of the Charter:

Second Report of the Committee of Experts on the Charter, paragraphs 124, 127, 129, 132 and 136, and

Second Report of the Committee of Experts on the Charter, paragraphs 184, 187, 190, 196 and 197

The chapter on the economic and social life – Article 13 – answers, in terms of content, all the Committee of Expert’s questions. We, therefore, believe that additional clarifications are not necessary since everything is explained in the article itself: laws and implementing regulations as well as exercising control in the market.

Second Report of the Committee of Experts on the Charter, paragraph 193

Bilingualism must be and is guaranteed in the following institutions: Koper Coastal Home for Retired Persons – Casa costiera del pensionato Capodistria, Izola Home for Retired Persons – Casa del pensionato Isola, Lendava Home for the Elderly – Idősebb Polgárok Otthona Lendva. The employees must have the command of a minority language as well. There are no problems relating to bilingualism in the above institutions.

Article 14: TRANSFRONTIER EXCHANGES

ITALIAN LANGUAGE

The Republic of Slovenia has undertaken to apply the following paragraphs in respect of the Italian language:

for the Italian and Hungarian languages: paragraphs a and b.

Slovenia committed itself in its Constitution (Article 64, paragraph 1: “The autochthonous Italian and Hungarian national communities and their members shall be guaranteed the right to use their national symbols freely and, in order to preserve their national identity, the right to establish organisations and develop economic, cultural, scientific, and research activities, as well as activities in the field of public media and publishing. In accordance with laws, these two national communities and their members have the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling. The geographic areas in which bilingual schools are compulsory shall be established by law. These national communities and their members shall be guaranteed the right to foster relations with their nations of origin and their respective countries. The state shall provide material and moral support for the

exercise of these rights.”)¹⁷⁵ that it will provide not only moral but also material support to the right of the members of national communities to foster and freely develop relations, especially with their nations of origin and their respective countries. This is further specified in sector-specific laws. The Self-Governing Ethnic Communities Act stipulates that the means for national communities to freely maintain relations at different levels shall be provided from the funds of self-governing local communities (municipalities), from the budget of the Republic of Slovenia and from other sources (Article 18, paragraph 2: “Means for the activities of organizations and public institutions, fulfilling the needs of national communities, and for the financing of activities arising from Article 16, shall be provided from the means of self-governing local communities, from the budget of the Republic of Slovenia and other sources, pursuant to the law.”)¹⁷⁶. A provision that may be connected with the principle of “freely maintaining relations” is also contained in the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Article 4 (Cooperation with institutions of the nation of origin): “To implement the objectives laid down in this Act and in compliance with bilateral agreements, public pre-school institutions and schools where the language of instruction is that of the national community and bilingual pre-school institutions and schools (hereinafter: pre-school institutions and schools) shall cooperate with relevant institutions of the nation of origin in the neighbouring countries”.)¹⁷⁷. The regular flow of publications and books from Italy and Hungary, which are used in educational institutions, deserves to be mentioned with regard to transfrontier exchanges.

As part of transfrontier exchanges, *RTV Slovenija* and *RAI Trieste* signed on 21 May 1999 an agreement on a transfrontier television project (entitled *Lynx NT 2000*). The essence of the signed agreement is the experimental transfrontier programme that would supplement the existing programmes. As a consequence, *TV Koper* would additionally broadcast the *RAI Trieste* news review in the Slovene and Italian languages; furthermore, the *RAI 3 bis* channel (covering the Trieste and Gorizia region) would broadcast both news reviews of the *Koper regional centre*, in the Slovene and Italian languages. During a preliminary phase and as an enhancement to the supplemented programmes, combined one-hour evening programmes (with cultural, information, educational and other contents) would be broadcast without affecting the autonomy of the programmes intended for the minorities and without reducing the volume and content of the existing and future broadcasts, ensured to national minorities by *RAI* and *RTV Slovenija*.

The experimental phase of the transfrontier television broadcasting began on 11 October 1999. According to the draft programme scheme forming part of the Agreement, there is a daily exchange of evening TV news between the *Koper-Capodistria Regional RTV Centre* and the regional *RAI* headquarters for the Friuli-Venezia Giulia Autonomous Province which have been, since April 2001, broadcasting a monthly 30-minute bilingual *Lynx Magazine*. Four hundred

¹⁷⁵ Constitution of the Republic of Slovenia (Ur. l. RS Nos. 33/1991, ..., 68/2006).

¹⁷⁶ Self-Governing National Communities Act (Ur. l. RS No. 65/1994).

¹⁷⁷ Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001).

hours of programme are thus exchanged annually. To date, *RTV Slovenija* has financed the project exclusively from its proper funds.

Transfrontier television connects the neighbouring regions of the Friuli-Venezia Giulia and Slovenia and the minorities on both sides of the border. This project of European dimensions offers opportunities for new postings, consolidates dialogue, coexistence and mutual comprehension of minorities and majorities.

In May 2008, *RAI* and *RTV Slovenija* renewed the agreement that would supplement the programmes intended for linguistic groups living along the border.

Transfrontier cooperation between the Republic of Slovenia and the Italian Republic is further regulated by some bilateral agreements, i.e. the Act Notifying Succession to the Agreements Concluded between the Former Yugoslavia and the Italian Republic, among which the Osimo Treaty, the Act Ratifying the Memorandum of Understanding on Mutual Recognition of Slovenian and Italian Degrees and Professional Titles¹⁷⁸, and the Executive Programme on Cultural Cooperation between the Republic of Slovenia and the Italian Republic for the 2004-2007 period (Rome, February 2004). The Minutes of the Slovenian–Italian expert working group on minority education and culture (Ljubljana, 25 May 1995) also deserves mention.

Article 14: TRANSFRONTIER EXCHANGES **HUNGARIAN LANGUAGE**

The Republic of Slovenia has undertaken to apply the following paragraphs in respect of the Hungarian language:

for the Italian and Hungarian languages: paragraphs a and b.

Slovenia committed itself in its Constitution (Article 64, paragraph 1: “The autochthonous Italian and Hungarian national communities and their members shall be guaranteed the right to use their national symbols freely and, in order to preserve their national identity, the right to establish organisations and develop economic, cultural, scientific, and research activities, as well as activities in the field of public media and publishing. In accordance with laws, these two national communities and their members have the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling. The geographic areas in which bilingual schools are compulsory shall be established by law. These national communities and their members shall be guaranteed the right to foster relations with their nations of origin and their respective countries. The state shall provide material and moral support for the exercise of these rights.”)¹⁷⁹ that it will provide not only moral but also material support to the right of the members of national communities to foster and freely develop relations, especially with their nations of origin and their respective countries. This is further specified in sector-specific laws. The Self-Governing Ethnic Communities Act stipulates that the means for national communities to

¹⁷⁸ The Act Ratifying the Act Ratifying the Memorandum of Understanding on Mutual Recognition of Slovenian and Italian Degrees and Professional Titles (Ur. l. RS No. 17/1996).

¹⁷⁹ Constitution of the Republic of Slovenia (Ur. l. RS No. 33/1991, ..., 68/2006).

freely maintain relations at different levels shall be provided from the funds of self-governing local communities (municipalities), from the budget of the Republic of Slovenia and from other sources (Article 18, paragraph 2: “Means for the activities of organizations and public institutions, fulfilling the needs of national communities, and for the financing of activities arising from Article 16, shall be provided from the means of self-governing local communities, from the budget of the Republic of Slovenia and other sources, pursuant to the law.”)¹⁸⁰. A provision that may be connected with the principle of “freely maintaining relations” is also contained in the Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Article 4 (Cooperation with institutions of the nation of origin): “To implement the objectives laid down in this Act and in compliance with bilateral agreements, public pre-school institutions and schools where the language of instruction is that of the national community and bilingual pre-school institutions and schools (hereinafter: pre-school institutions and schools) shall cooperate with relevant institutions of the nation of origin in the neighbouring countries”.)¹⁸¹. The regular flow of publications and books from Italy and Hungary, which are used in educational institutions, deserves to be mentioned with regard to transfrontier exchanges.

Transfrontier cooperation between the Republic of Slovenia and the Republic of Hungary is further regulated by several bilateral agreements, namely the bilateral Agreement on Guaranteeing Special Rights of the Slovene Minority Living in the Republic of Hungary and the Hungarian National Community in the Republic of Slovenia (1993), the Agreement on Cooperation in the Fields of Culture, Education and Science between the Republic of Slovenia and the Republic of Hungary (1992), and the Agreement on Friendship and Cooperation between the Republic of Slovenia and the Republic of Hungary (1993).

In accordance with the Agreement on Cooperation in the Fields of Education, Science and Culture, concluded between the Government of the Republic of Hungary and the Government of the Republic of Slovenia in Budapest on 2 September 1992, and in compliance with the Programme of Cooperation in the Fields of Education, Science and Culture for the Period 2006-2008, concluded on the basis of this Agreement, the Agreement on Cooperation in the Fields of Culture and Language was signed by the Balassi Bálint Intézet Institute from Budapest, the Pomurje Hungarian Self-governing National Community in Pomurje and the Hungarian Institute for Culture in Lendava on 14 March 2008.

ADDITIONAL CLARIFICATION

Additional clarification to the question of the Committee of Experts regarding the application of Article 14 of the Charter:

Second Report of the Committee of Experts on the Charter, paragraph 139

¹⁸⁰ Self-Governing National Communities Act (Ur. l. RS No. 65/1994).

¹⁸¹ Act Guaranteeing Special Rights to Members of the Italian and Hungarian National Communities in the Field of Education (Ur. l. RS No. 35/2001).

Financial resources for the bilingual municipalities of Koper, Izola, Piran, Lendava, Dobrovnik, Hodoš, Moravske Toplice, and Šalovci are earmarked in the state budget through the Government Office for National Minorities for bilingual operations of municipalities and for operations of municipal self-governing national communities. The costs of ensuring contacts with the nation of origin are covered from the same source.

Ljubljana, March 2009

Annex 1

LANGUAGE PRESERVATION PROJECTS FOR 2006, 2007 AND 2008**Approved cultural programme of the Italian national community for 2006, 2007 and 2008, relating to language preservation in euros**

Contents of the Italian national community programme	2006	2007	2008	Total amount for the 2006–2008 period
• Library services	21,411.49	22,110.71	21,439.59	
• Publishing activities	33,921.72	32,865.96	34,200.19	
• Language preservation	3,275.75	3,303.71	5,211.55	
• Courses and lectures	5,362.21	5,390.17	4,521.55	
TOTAL	63,971.16	63,670.55	65,372.33	193,014.04
% of the total amount provided by the Ministry of Culture	22.36	22.26	21.75	

Approved cultural programme of the Hungarian national community for 2006, 2007 and 2008, relating to language preservation in euros

Contents of the Hungarian national community programme	2006	2007	2008	Total amount for the 2006–2008 period
• Library services	37,556.33	6,551.00	3,167.15	
• Publishing activities	33,921.72	34,218.00	46,000.00	
• Preservation of mother tongue	3,275.75	60,424.00	62,000.00	
• Lectures and seminars	5,007.51	8,346.00	8,500.00	
TOTAL	79,761.31	109,539.00	119,667.15	308,967.46
% of the total amount provided by the Ministry of Culture	19.09	25.33	27.45	

Approved cultural projects of the Roma community in 2006, relating to language preservation in euros

APPLICANT	PROJECT TITLE	APPROVED BY MC (IN EUR)
<i>Karantanija</i> publishing house	Translation of Prešeren's Poetry in the Romani language	2,503.76
<i>Amala Roma</i> Society	Publication of the book <i>Children, Sing With Us II</i>	3,755.63

Union of Roma of Slovenia	Romano them – the Roma world	6,259.39
	Presentation of works by Roma authors	1,043.23
	Publication of a drama <i>Romni – Rominja</i> by the <i>Romani Union</i> Murska Sobota	1,669.17
	Publication of a CD with Romani fairytales and stories by the <i>Romani Union</i> Murska Sobota	2,086.46
	Publication of the Romani bulletin <i>Romano Nevijpe – Roma news</i> by the <i>Romani Union</i> Murska Sobota	2,503.76
	Publication of the book <i>Children, Sing With Us II</i>	3,755.63
	<i>Pru Prešerniskro dij – Prešeren's day</i> , Čapla Roma Society Vanča vas–Borejci	625.94
	<i>Romano glauso</i> bulletin (Voice of Roma), Čapla Roma Society Vanča vas–Borejci	1,669.17
	Cultural animator's fee	3,505.26
	Publication of the book <i>Roma and Bela Krajina folk fairytales and stories</i> , Vešoro Črnomelj Roma Society	3,338.34
TOTAL	28,960.11	
% of the total amount provided by the Ministry of Culture	14.99	

Approved cultural projects of other minority ethnic groups in 2006, relating to language preservation in euros

APPLICANT	PROJECT TITLE	APPROVED BY MC (IN EUR)
<i>Kočo Racin Obala</i> Macedonian Association	Macedonia in pictures and words	4,172.93
<i>Mihajlo Pupin</i> Cultural Association	Book <i>I stranger</i> by J. Stavrov	2,086.46
Cultural Society of German speaking women <i>Mostovi</i>	Ties between people (Zwischenmenschliche Bindungen)	2,503.76
Bosnian Cultural Union	<i>Bošnjak</i> bulletin	10,432.32
Union of Serbian Associations in Slovenia	Publication of the <i>Mostovi</i> bulletin of the Union	8,345.85
	Evening with writers	1,251.88
	Serbian Internet Portal in Slovenia	4,172.93
<i>Brdo</i> Cultural	Evenings of literature and	4,172.93

Association	poetry, workshops for children and youth	
	Multiethnic folklore manifestation <i>Vivacious Youth</i> , cultural event	3,338.34
	Publication of a poetry collection, publishing activity	2,086.46
	Publication of the Association's bulletin <i>Naš glas</i>	6,259.39
Serbian Cultural Association Maribor	Literary days: <i>Serbian Word – Srpska reč</i>	2,086.46
	<i>Kontakt</i> bulletin	4,172.93
<i>Pearls of Ohrid</i> Macedonian Cultural Association Nova Gorica	Days of Macedonian cultural heritage in the Goriška Region 2006	1,251.88
<i>Migjeni</i> Cultural Association of Albanians	<i>Alternative</i> , magazine for culture and science	8,345.85
	Fine arts workshops for children	2,921.05
	Literary and puppet workshop	1,669.17
Croatian Cultural Association Maribor	<i>Glasiilo</i> bulletin of the Association	4,172.93
	Literary evening	417.29
Društvo srpska zajednica – Serbian Community Association	<i>Beseda</i> cultural bulletin	8,345.85
	Theatre performance <i>Sumljiva oseba</i> (A Suspect) by B. Nušić	7,511.27
	Transformation by Branko Bačović	2,921.05
	Reflections on language (Part II)	2,086.46
Cultural Association Međimurje – Ljubljana	<i>Pušlek</i> internal bulletin	4,172.93
<i>Cultural Weekend</i> , Association for development of social and cultural work	<i>Korjeni</i> – the bulletin of the Union of Croatian Associations in Slovenia	5,424.80
<i>Makedonija</i> , Macedonian Cultural Association	Literary and music events with workshops for youth	2,921.05
TOTAL		107,244.22
% of the total amount provided by the Ministry of Culture		55.53

Approved cultural projects of the Roma community in 2007, relating to language preservation in euros

GRANTED

APPLICANT	PROJECT TITLE	APPROVED BY MC (IN EUR)
Union of Roma of Slovenia	Presentation of works by Roma authors	1,000.00
	Romano them – the Roma world	6,000.00
	Cultural animator’s fee in 2007	3,750.00
	Theatre performance <i>the Little Red Riding Hood, Zeleno vejš</i> Roma Society	500.00
	Publishing – publication of the <i>Romano Nevijpe – Roma news</i> bulletin by the <i>Romani Union Murska Sobota</i>	2,000.00
	Theatrical activity of the <i>Romani Union Murska Sobota</i>	2,200.00
	Publication of a drama <i>Romane sune – Roma dreams</i> by the <i>Romani Union Murska Sobota</i>	1,500.00
	Publication of a CD with Roma fairytales and stories by the <i>Romani Union Murska Sobota</i>	2,000.00
	Publication of a book <i>Marlena’s Hidden Closet</i> by the <i>Romani Union Murska Sobota</i>	1,500.00
	Literary and music evening by the <i>Vešoro Roma Society</i>	400.00
	Publication of a Romani-Slovene and Slovene-Romani dictionary by the <i>Vešoro Roma Society</i>	1,000.00
	Evening in memory of the great poet France Prešeren, the <i>Once Gypsies – Today Roma Society</i>	500.00
	Pocket dictionary <i>Gadjo vakere</i>, the <i>Once Gypsies – Today Roma Society</i>	2,900.00
	Research of Roma words 3,	500.00

	Romano vozo Roma Society	
	Roma poetry and dance evening, <i>Romano vozo Roma Society</i>	500.00
	Training and work of a Roma culture animator, <i>Romano vozo Roma Society</i>	1,250.00
	Folklore and poetry group, <i>Romano vozo Roma Society</i>	500.00
	Roma fairytales and poems <i>Romane paramiče taj dija, Romano vozo Roma Society</i>	1,600.00
	Publication of the <i>Romano glauso</i> bulletin (Voice of Roma), <i>Čapla Roma Society</i>	500.00
	<i>Pru Prešerniskro dij – Prešeren’s day, Čapla Roma Society</i>	500.00
	Following the Morning (book of poems), <i>Romano vozo Roma Society</i>	1,500.00
Roma Cultural Society A Roma Črnomelj	Literary competition: <i>United by language</i>	1,000.00
<i>Franc-Franc</i> , cultural promotion company	Preparation and publication of a book <i>Podedovane brazgotine</i> (Inherited scars) by Roma author Jože Livien	2,000.00
<i>Amala Roma Society</i>	Publication of the book <i>Children, Sing with Us III</i>	3,900.00
TOTAL		38,000.00
% of the total amount provided by the Ministry of Culture		45.58

Approved cultural projects of other minority ethnic groups in 2007, relating to language preservation in euros

APPLICANT	PROJECT TITLE	APPROVED BY MC (IN EUR)
Bosnian Cultural Union of Slovenia	<i>Bošnjak</i> bulletin	14,605
	Bosnian Internet Portal www.slotekbir.net	4,500
Društvo srpska zajednica – Serbian Community Association	<i>Beseda</i> cultural bulletin Nos. 8 and 9	8,345
	Memorial recital to mark the 130 th anniversary of the birth of Petar Kocić	1,000

	Publication of the book <i>Pričevanja</i> – translation into Slovene	2,000
<i>Plava i Gusinja Izvor</i> , Association of Countrymen	<i>Izvor</i> bulletin 2007	1,500
Croatian Cultural Association Maribor	<i>Glasiło</i> bulletin of the Association	4,000
<i>Migjeni</i> Cultural Association of Albanians	<i>Alternative</i> , magazine for culture and science	9,500
Cultural Association Međimurje Velenje	Writers' presentation	100
<i>Brdo</i> Cultural Association	Drama studio	1,838
	Evenings of literature and poetry, workshops for children and youth	2,000
Croatian Cultural Association Međimurje – Ljubljana	<i>Pušlek</i> internal bulletin <i>Biser</i> Bosnian Cultural and Sports Association Jesenice	2,000
<i>Biser</i> Bosnian Cultural and Sports Association Jesenice	Literary and puppet workshop	1,000
	Publication of the book <i>Bosnians at the Isonzo Front</i>	3,000
<i>Mihajlo Pupin</i> Cultural Association	Children's circle – introducing poetry to children and youth	8,750
	The book <i>Bratstvo Nikolići</i> by Svetislav Nikolić	2,087
Serbian Cultural Community Association	Literary competition for the most beautiful poem	1,252
	Organisation of literary events with renowned writers from Serbia and Montenegro and Republika Srbska	2,087
	Publication of the songbook in Slovene and Serbian	4,173
<i>Mladost</i> Culture and Art Association, Ljubljana	Book fair	1,252
	Drama workshop	1,500
<i>Ilinden</i> Macedonian Cultural Association Jesenice	<i>Deteljica</i> youth bulletin	1,000
<i>Makedonija</i> , Macedonian Cultural Association	Monograph marking the 15 th anniversary of the establishment of the Association	4,000
Serbian Cultural Association Maribor	<i>Kontakt</i> bulletin	3,000

<i>Nikola Tesla</i> Serbian Educational Association	Theatre group	5,000
Union of Serbian Associations of Slovenia	Publication of the <i>Mostovi</i> bulletin of the Union	3,000
	Serbian Internet Portal in Slovenia – upgrade	3,338
	Evening with writers	1,669
<i>Sandžak</i> Cultural Association in Slovenia	Setting up of an internet portal	3,000
	Publication of the <i>Golden Shield</i> book	3,500
	Literary evening	3,000
TOTAL		106,996.00
% of the total amount provided by the Ministry of Culture		54.1

Approved cultural projects of the Roma community in 2008, relating to language preservation in euros

APPLICANT	PROJECT TITLE	GRANTED
Union of Roma of Slovenia	<i>Romano Nevijpe – Roma news</i>	2,000.00
	Romano them – the Roma world	4,000.00
	Presentation of works by Roma authors	500.00
	Cultural animator’s fee in 2008	3,700.00
	Publication of a CD <i>Roma fairytales and stories 3</i> by the <i>Romani Union</i>	1,000.00
	Theatrical activity of the <i>Romani Union</i>	2,000.00
	Publishing – publication of the <i>Romani</i> bulletin for children <i>MRI NEVI MINIMULTI</i> by the <i>Romani Union</i>	1,500.00
	Roma publication, <i>Once Gypsies – Today Roma Society</i>	1,000.00
	Fairy tale about the <i>Little Red Riding Hood, Once Gypsies – Today Roma Society</i>	500.00
	<i>Mothavama po romane – Let’s say it in the Romani language, Once Gypsies – Today Roma Society</i>	500.00
	<i>Pru Prešerniskro dij – Prešeren’s day, Čapla Roma Society</i>	500.00
	<i>Romano glauso</i> bulletin (Voice of Roma), <i>Čapla Roma Society</i>	500.00

	Publication of a Romani-Slovene and Slovene-Romani dictionary by the <i>Vešoro Roma Society</i>	1.000.00
	Presentation of the dictionary, <i>Vešoro Roma Society</i>	300.00
	Literary workshop for children, <i>Vešoro Roma Society</i>	200.00
	<i>Melauli reca – the Ugly Duckling, Zeleno vejš Roma Society</i>	500.00
<i>Romano Pralipe Society</i>	Publishing of a Roma newspaper	1,500.00
Society of Allies for Soft Landing	The first bilingual picture book for Roma children	2,000.00
Roma Cultural Society A <i>Roma Črnomelj</i>	Literary competition: <i>United by language</i>	800.00
<i>Amala Roma Society</i>	Publication of the book <i>Children, Sing With Us IV – Chavalen, galiven amencar</i> with an additional CD with songs	2,500.00
<i>Romano vozo Roma Society</i>	Poetry collection <i>Romane čilja – Roma poems</i>	600.00
	Event marking the International Day of the Roma – Literary evening <i>Differences Enrich Us All</i>	600.00
	Language workshop – Research of Romani words 4	500.00
	Publishing activity – publication of the Roma bulletin for youth <i>Black Stone – Kalo bar</i>	600.00
	Training and work of an animator for the Roma culture	1,500.00
	Publishing activity – publication of a poetry collection <i>Mungri čilji si mungro ogledalo – My poem is my mirror</i>	600.00
	Regular activities of a cultural group: Folklore and poetry group, <i>Romano vozo Roma Society</i>	500.00
	Publishing activity – publication of the book <i>The Roman Language – Romani čib</i>	700.00
FRANC-FRANC, Podjetje za promocijo kulture d.o.o. (cultural promotion company)	Jože Livijen: <i>Smoky memories, stories from Roma life</i>	2,000.00
<i>Pušča Roma Cultural and Tourism Society</i>	<i>Romane sune – Roma dreams</i> magazine (publication of the bulletin in the mother tongue and literary competition)	500.00

Radio Student Institute	Radio production of Roma	2,500.00
NEVO DI Society for the Development of Cultural and Music Education of the Roma population	NEVO DI Opus	4,000.00
TOTAL		41,000.00
% of the total amount provided by the Ministry of Culture		47.98

Approved cultural projects of other minority ethnic groups in 2008, relating to language preservation in euros

APPLICANT	PROJECT TITLE	APPROVED FUNDS (IN EUR)
Serbian Cultural Community Association	Theatre from Prijedor made guest appearances	4,000
Petar Kočić Cultural Association	Collection of poems by Serbian poets living in Slovenia	3,000
Petar Kočić Cultural Association	Setting up of the Petar Kočić website	2,000
Serbian Cultural Association Maribor	<i>Kontakt</i> bulletin and <i>Contact</i> on DVD	3,000
Desanka Maksimović Serbian Cultural and Humanitarian Association	A new book <i>Serbian love poems</i>	3,000
Union of Serbian Associations of Slovenia	Publication of the <i>Mostovi</i> bulletin	3,000
Makedonija, Macedonian Cultural Association	Fine arts, music and literary mosaic	5,000
Pella Macedonian Cultural Association	<i>Poems I.B</i> – collection of poems	3,000
Mladost Culture and Art Association	Drama workshop	1,500
Mladost Culture and Art Association	Book fair	1,200
Brdo Cultural Association	Publication of the <i>Naš glas</i> bulletin	3,000
	Evenings of literature and poetry, workshops for children and youth	2,000
	Drama studio	5,000
Desanka Maksimović Serbian Cultural and Humanitarian Association	Theatre group	4,000
Bosnian Cultural Union	Media – <i>Bošnjak</i> bulletin	12,000

of Slovenia		
	<i>Podalpski selam</i> – radio broadcast in Bosnian by Radio Študent	2,000
Bosnian Cultural Union of Slovenia	Bosnian Internet Portal www.bosnjak.si	1,000
Ljiljan Association of the Bosnian-Herzegovinian and Slovenian friendship	<i>Richness of diversity</i> theatre festival	2,000
Association of Bosnian and Herzegovinian Students of Slovenia	<i>The fable of the sevdalinka</i>	1,500
Petőfi Sándor Hungarian Cultural Association Ljubljana	Website	1,000
Styrian Community International cultural Association	Website: www.stajerska.eu	1,000
Migjeni Cultural Association of Albanians	<i>Alternative</i> , magazine for culture and science in Albanian	5,000
Mihajlo Pupin Cultural Association	Novel <i>Ko pamet zamuja</i>	3,000
Croatian Cultural Association Maribor	<i>Glasilo</i> bulletin of the Association	7,000
Croatian Cultural Association Međimurje – Ljubljana	Publishing activity – <i>Pušlek</i> bulletin	3,000
	Festival of Croatian amateur theatres	1,000
Vuk Karadžić Cultural, Educational and Sports Association	Days of Serbian folk songs	2,000
Mihajlo Pupin Cultural Association	Collection of poems <i>Ljubezen je ljubezen</i>	2,000
Društvo srpska zajednica – Serbian Community Association	<i>Beseda</i> cultural bulletin Nos. 10 and 11	5,000
	<i>Pesmi za mojo dušo</i> by Đorđe Radović	3,000
	Panorama of Serbian literary expression in Slovenia	1,000
	Theatre performance <i>Krivda</i>	4,000
Plava i Gusinja Izvor, Association of Countrymen	<i>Izvor</i> bulletin	1,000
	Publication of book of poems <i>Čekajući proleće</i>	1,500
Sveti Sava Serbian Cultural and Educational	Setting up the website of the Association	2,000

Association – Kranj		
Union of Serbian Associations of Slovenia	Upgrade of the Association's website	1,000
Biser Bosnian Cultural and Sports Association	Literary and puppet workshops	1,500
Biser Bosnian Cultural and Sports Association	Fine arts workshops	1,000
Nikola Tesla Serbian Educational Association	Drama impressions	3,000
Ilinden Macedonian Cultural Association Jesenice	<i>Deteljica</i> youth bulletin	2,000
Vukova zadužbina, Foundation for research and preservation of the Serbian cultural heritage	Historical and anthropological mapping of cultural nomadism and social migrations of the Serbian community in Slovenia (intercultural dialogue and cooperation perspective)	2,000
Vidovdan Serbian Culture and Art Association	Upgrading the website of the Association	800
Union of Croatian Associations in Slovenia	<i>Korjeni</i> – the bulletin of the Union	2,000
Sandžak Cultural Association in Slovenia	<i>Izvor Sandžaka</i> bulletin	2,000
	Literary evening	1,000
	Administration of the web portal	1,000
	Keeping company with Ferid Muhić	3,000
TOTAL		123,000.00
% of the total amount provided by the Ministry of Culture		<i>60</i>

Annex 2

**CULTURAL PROJECTS OF SPECIAL IMPORTANCE INTENDED FOR
THE MEMBERS OF THE GERMAN-SPEAKING ETHNIC GROUP IN
SLOVENIA FOR 2008 – LIST OF SELECTED APPLICANTS**

APPLICANT	PROGRAMME/PROJECT TITLE	AMMOUNT BY MC (IN EUR)
Cultural Society of German speaking women Mostovi – Kultur Verein deutschsprachiger Frauen Bruecken	<i>Publication – printing of the publication – yearbook 2008: Ties between people (Zwischenmenschliche Bindungen)</i>	2,000.00
Cultural Society of German speaking women Mostovi – Kultur Verein deutschsprachiger Frauen Bruecken	<i>Language workshops for children – German language courses (workshops) and activity of the children’s theatre group performing at cultural events</i>	500.00
Cultural Society of German speaking women Mostovi – Kultur Verein deutschsprachiger Frauen Bruecken	<i>German language course for adult members of the society</i>	500,00
Association of Kočevje German settlers	<i>Preserving the dialect of the Kočevje Germans</i>	2,000.00
Association of Kočevje German settlers	<i>Establishing the Association’s museum</i>	1,000.00
Association of Kočevje German settlers	<i>Publication of the book: Življenjske zgodbe Kočevarjev iz cele Kočevske by Dr Marija Makarovič</i>	500.00
Youth Cultural Centre Maribor	<i>Literature of the German-speaking ethnic group in Slovenia</i>	2,300.00
Support Association for German additional classes in the mother tongue	<i>Mach mit – Join us</i>	2,000.00

TOTAL: EUR 12,000.00

CULTURAL ACTIVITIES OF ASSOCIATIONS IN WHICH THE MEMBERS
OF THE *GERMAN-SPEAKING GROUP* FROM SLOVENIA ARE ORGANISED

Special Programme of the Ministry of Culture

Source of data:

Contracts for financing concluded between the providers and the Ministry of Culture

- 2007

GRANTED

APPLICANT	PROJECT TITLE	APPLIED FOR (IN EUR)	GRANTED BY MC (IN EUR)
<i>Apaško polje</i> Cultural Association	Language courses of Slovene and German	5,000	1,000 for courses for children
Cultural society of German speaking women Mostovi	German language courses (workshops) for children and theatre groups	1,000	500
Cultural society of German speaking women Mostovi	Publication – printing of a publication – yearbook <i>Ties between people</i> (Zwischenmenschliche Bindungen)	2,500	2,000
Peter Kozler Slovene Association of the Kočevje Germans	Travelling exhibition <i>The lost cultural heritage of the Kočevje Germans</i>	8,266	2,000
TOTAL (EUR)		16,766	5,500

Total – the Kočevje Germans: EUR 2,000.00

Total – Germans: EUR 3,500

**CULTURAL ACTIVITY OF DIFFERENT MINORITY GROUPS IN
SLOVENIA – BY MUNICIPALITIES**

**(a list of those that have in any manner filed an application with the Ministry
of Culture) – status as at 11 January 2007**

▪ **Ljubljana:**

Amala Roma Society
African Centre Association, Ljubljana
Migjeni Cultural Association of Albanians, Ljubljana
Arab Club of Slovenia, Ljubljana
Bosnian Cultural Union of Slovenia, Ljubljana
Ljiljan Association of the Bosnian-Herzegovinian and Slovenian friendship,
Ljubljana
Union of Croatian Cultural Associations in Slovenia, Ljubljana
Croatian Cultural House in Slovenia, Ljubljana
Jewish Community of Slovenia, Ljubljana
Peter Kozler Slovene Association of the Kočevje Germans, Ljubljana
Union of Macedonian Cultural Associations of Slovenia, Ljubljana
Makedonija, Macedonian Cultural Association, Ljubljana
Serbian Community Association, Ljubljana
Serbian Cultural Community Association, Ljubljana
Union of Serbian Associations of Slovenia, Ljubljana
Mihajlo Pupin Cultural Association, Ljubljana
Mladost Culture and Art Association, Ljubljana
Petõfi Sándor Hungarian Cultural Association Ljubljana
Cultural Association Međimurje – Ljubljana
Semberija Sports, Cultural and Entertaining Association, Ljubljana
Pella Macedonian Cultural Association, Ljubljana
Vidovdan Serbian Culture Association, Ljubljana

▪ **Medvode:**

Sandžak Cultural Association in Slovenia, Medvode

▪ **Kranj:**

Plava i Gusinja Izvor, Association of Countrymen, Kranj
Morača Montenegrin Cultural, Educational and Sports Association, Kranj
Sv. Ciril in Metod Macedonian Cultural Association, Kranj
Brdo Cultural Association, Kranj
Sveti Sava, Serbian Cultural and Educational Association – Kranj

▪ **Jesenice:**

Sinti Association of the Gorenjska Region, Jesenice
Union of Sinti Associations of Slovenia, Jesenice
Ilinden Macedonian Cultural Association Jesenice
Biser Bosnian Cultural and Sports Association, Jesenice
Croatian Immigrant Community – Cultural Association, Jesenice

▪ **Škofja Loka:**

Komušina Croatian Club, Škofja Loka

- **Radovljica:**
Sinti Association, Radovljica
Vuk Karadžić Cultural, Educational and Sports Association, Radovljica
- **Maribor:**
Croatian Cultural Association Maribor, Maribor
Vardarka Macedonian Folklore Association, Maribor
Biljana Macedonian Cultural Association, Maribor
Most svobode – Freiheitsbrücke – Freedomsbridge International Association, Maribor
Cultural Society of German speaking women *Mostovi*, Maribor
Serbian Cultural Association Maribor
- **Celje:**
Union of Serbian Cultural Associations in Slovenia, Celje
Desanka Maksimović Serbian Humanitarian Association, Celje
- **Novo mesto:**
Croatian Cultural Association Novo Mesto
Žumberak Culture and Art Association Novo Mesto
Rajko Šajnovič, Šmihel, Novo mesto
Bogdan Miklič jr., Stranska vas, Novo mesto
Sevdah Culture and Art Association, Novo mesto
- **Dolenjske Toplice:**
Association of the Kočevje German settlers, Dolenjske Toplice
- **Apaško polje:**
Most svobode – Freiheitsbrücke - Freedomsbridge, Apaško polje International society, Apače
- **Piran:**
Italian Self-Governing National Community, Piran
Istra Piran Croatian Culture, Art and Sports Association, Piran
- **Izola:**
Italian Self-Governing National Community, Izola
- **Postojna:**
Nikola Tesla Serbian Educational Association, Postojna
- **Solkan:**
Sloga Serbian Cultural Association Nova Gorica, Solkan
- **Koper:**
Coastal Italian Self-Governing Community, Koper
Carlo Combi Italian Centre for Promotion, Culture, Education and Development, Koper

Italian Self-Governing National Community, Koper
Kočo Racin Obala Macedonian Cultural Association, Koper

- **Velenje:**
Romano vozo Roma Society, Velenje
Cultural Association Međimurje Velenje
- **Murska Sobota:**
Union of Roma of Slovenia
Pušča Roma Cultural and Tourism Society, Murska Sobota
Prof. Borovšak, Murska Sobota
- **Črnomelj:**
Roma Society Semič, Črnomelj
Roma Cultural Society A *Roma* Črnomelj
- **Kočevje:**
Maj Roma Society, Kočevje
- **Semič:**
Roma Cultural Society A *Roma* Semič
- **Črenšovci:**
Romano Pejtaušago Roma Society Kamenci, Črenšovci
- **Lendava:**
Hungarian Self-Governing National Community, Lendava
Hungarian Institute for Culture, Lendava
Lendava Gallery-Museum
Lendava Library
Murska Sobota Regional and Study Library
Institute for the Information Activity of the Hungarian National Community
Culture and Promotion Institute