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MINORITY LANGUAGES IN FOCUS



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Accommodating minority languages in the public space: the case of topographical signs

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The European Centre for Minority Issues (ECMI) is a non-partisan institution founded in 1996 by the Governments of the Kingdom of Denmark, the Federal Republic of Germany, and the German State of Schleswig-Holstein. ECMI was established in Flensburg, at the heart of the Danish-German border region, in order to draw from the encouraging example of peaceful coexistence between minorities and majorities achieved here. ECMI's aim is to promote interdisciplinary research on issues related to minorities and majorities in a European perspective and to contribute to the improvement of interethnic relations in those parts of Western and Eastern Europe where ethnopolitical tension and conflict prevail.

European Centre for Minority Issues (ECMI)

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PREFACE

Across Europe, many local and regional authorities have elected to post bilingual or multilingual place signs in the languages spoken in their jurisdiction. Many municipalities have also decided to erect informational boards on official buildings and public works. These signs are not to accommodate tourists and visitors but to comply with local and/or national legislation and international standards on minority rights. This publication surveys the practices of 10 countries in Europe.

Since 1998, it has been legally binding in most European countries to accommodate minority languages spoken at the local level. The Council of Europe's European Charter on Regional or Minority Languages (ECRML) of the Council of Europe deals with topographic names in Article 10 (2) g. States Parties having ratified this provision are under the obligation to adopt place names in regional or minority languages as the (only) official or co-official name and/or to use such place names, in particular on signs and in official documents. To date, 25 countries in Europe have started implementing the provisions of the Charter.

Similarly, the Council of Europe's Framework Convention for the Protection of National Minorities, Article 11, requires that countries having signed and ratified the Convention must seek reasonable solutions to bilingual or multilingual signage in those areas where national minorities constitute a majority or a proportion of the population. The Convention does not provide specific models or directives. It allows member states and local authorities to take into account local circumstances and national legislation. Additionally, it emphasizes that posting signs in minority languages does not mean official recognition of local names in the minority languages. Finally, the Convention suggests dialogue with neighbouring states that are a mother nation of national minorities and, if necessary, entering into agreement with each other on mutual approaches to place signs. To date, 40 countries in Europe (including Kosovo) have started implementing the provisions of the Convention.

Although there is general consensus that language diversity is part of Europe's cultural wealth and heritage, the linguistic landscape of Europe does not reflect this reality. Numerous regions, where national minorities have lived for centuries, do not abide by the international standards on linguistic rights, and governments are often reluctant to impose regulations on local authorities, even if they have signed and ratified the international treaties of the Council of Europe. It is important to note that governments hold the obligation to implement the standards of minority rights. Implementation must of course be adjusted to the local circumstances, and dialogue between central and local governments is therefore important. There is no one solution or 'one-size-fits-all'.

This publication seeks to overcome this by surveying different approaches followed in 10 European regions. Each case is presented in a factsheet detailing numerical and demographic facts about the region, relevant legislation and policy adopted at the local, national and international levels. They also provide very short discussions on the local situation as well as Internet links to further information about the case. The cases surveyed are not rated according to any measure, they are meant to be useful in seeking broader knowledge about approaches to implementing linguistic rights of national minorities.

The European Centre for Minority Issues has developed this publication to assist local and regional authorities in adjusting their policies and programming to international standards on minority rights. We hope that this information will be useful for the implementation and improvement of national minority rights. Inquiries and suggestions are welcome at 'info@ecmi.de'.

Flensburg, 22 October 2015

Tove H. Malloy
ECMI Director



FACTSHEETS

Case 1: The Basque Countries (The Kingdom of Spain)



Status: Autonomous communities

Population: 2,166,184¹

Territory: 7,234 sq. km

Main ethnic groups: Basque, Spanish

Main languages spoken: Basque, Spanish

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 1995²
- The European Charter for Regional or Minority Languages: ratified in 2001³

Relevant national legal frameworks:

- Constitution of Spain (1978)⁴
- The Statute of Autonomy of the Basque Country (1979)⁵
- The Law on the Standardization and Use of Euskera (Statute No 10/1982).⁶

The Kingdom of Spain is organized in 17 autonomous communities and 2 autonomous cities. The Constitution of Spain recognizes that “Castilian is the official Spanish language of the State. All Spaniards have the duty to know it and the right to use it.” The same article also stipulates that “the other Spanish languages shall also be official in the respective Self-governing Communities in accordance with their Statutes”. According to the stipulations of the Article 3 of the Constitution, it is the duty of the self-governing communities to respect and protect the other Spanish languages.

In the Basque Countries, according to the Statute of Autonomy of Basque Country (1979), the official languages are both Basque and Castilian (Spanish) and “the public institutions of the Basque Autonomous Community, bearing in mind the Basque Country’s sociolinguistic diversity, will guarantee the use of both languages, will regulate their official nature and will arbitrate and regulate the measures and means necessary to guarantee their knowledge.”

Additionally, the Law on the Standardization and Use of Euskera stipulates numerous provisions on the use of the language in administration, education and the media. The law also refers to topographical signs (Article 10): “Official place names should respect the Basque, Romance or Spanish origin of the name as well as its correct spelling according to its linguistic origin. When there are two vastly different names for the same place: one in Basque and the other in Spanish, both will be considered official. It is the task of the Basque Government, Provincial Governments and Local Councils to decide upon official place names in accordance with their powers. If local councils/governments and the Basque Government have conflicting opinions on official names, it will be the Basque Government that will have the final say.”

¹ Encyclopædia Britannica Online, “Basque Country”, <http://www.britannica.com/place/Basque-Country-region-Spain>, accessed on 2 November 2015

² Geographical reach of the Framework Convention for the Protection of National Minorities available at http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

³ The European Charter for Regional or Minority Languages, “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=148&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

⁴ Constitution of Spain (1978), https://www.constituteproject.org/constitution/Spain_2011?lang=en

⁵ The Statute of Autonomy of the Basque Country (1979)

⁶ Official web-page of Basque Country, “Euskara Language” : http://www1.euskadi.net/euskara_lingua/PDF/Euskadi/Ingles/eu_in_le.pdf, accessed on 2 November 2015



Case 2: Bretagne/Brittany (The French Republic)



Status: Region

Population: 3,237,097⁷

Territory: 27,209 sq. km⁸

Main ethnic groups: French, Bretons⁹

Main languages spoken: French, Breton, Gallo¹⁰

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: not ratified¹¹
- The European Charter for Regional or Minority Languages, signed in 1999, but not ratified¹²

Relevant national legal frameworks:

Article 2 of the French Constitution.

The French Republic is divided in 22 metropolitan regions and 5 overseas regions.¹³ The French Constitution stipulates that “the language of the Republic shall be French”¹⁴ While also stating that “the regional languages are part of France's heritage”. However, it does not mention any specific minority groups and languages.

The 22 metropolitan regions in the French Republic have extensive powers, as they administer transport, infrastructure, economic development, tourism and education. Each region consists of counties, local areas and communes.¹⁵

With French being the only recognized language and given the lack of recognition of any other minority languages, the right to bilingual topographical signs cannot be analyzed within a legislative framework. After the 1982 regionalization process, the counties, local areas and communes were authorized to place public road and street signs. While there is no legal obligation to add bilingual topographical signs, there is also no prohibition to post them, so that the placement of bilingual topographical signs is based on the willingness of local authorities. As a result, the placement of bilingual topographical signs happens randomly in the territory of Bretagne/Brittany.¹⁶ The Breton speaking population, who mobilized and put pressure on authorities to fulfill this right, has played an important role in the placement of the bilingual topographical signs in certain localities in Bretagne/Brittany.¹⁷

⁷ Citypopulation.de, “Bretagne [Brittany]”, <http://www.citypopulation.de/France-Bretagne.html>, accessed on 2 November 2015

⁸ Encyclopædia Britannica Online, “Brittany”, <http://www.britannica.com/place/Brittany-region-France>, accessed on 2 November 2015

⁹ Jeffrey E Cole, “Ethnic Groups of Europe: An Encyclopedia” (California, Colorado, England: ABC-CLIO, 2011), page 52

¹⁰ Euromosaic, “Breton (France)”, <http://www.uoc.edu/euromosaic/web/document/breto/an/i1/i1.html#2.4>, accessed on 2 November 2015

¹¹ Geographical reach of the Framework Convention for the Protection of National Minorities available at http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

¹² The European Charter for Regional or Minority Languages. “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=148&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

¹³ <https://www.cia.gov/library/publications/the-world-factbook/geos/fr.html>, accessed on 2 November 2015

¹⁴ Constitution of France (1958), available at: https://www.constituteproject.org/constitution/France_2008?lang=en, accessed on 9 November 2015. Article 2 and Article 75 (1)

¹⁵ About France.com, “Discover the regions of France”, <http://about-france.com/regions.htm>, accessed on 2 November 2015

¹⁶ F.J. Schrijver, “Regionalism after Regionalisation : Spain, France and the United Kingdom”, *PhD thesis*, 2006, <http://dare.uva.nl/document/2/143664>, accessed on 2 November 2015

¹⁷ Public Office of the Breton Language, “History And Geography Of French-Breton Bilingual Signs”, <http://www.fr.brezhoneg.bzh/18-signalisation.htm>, accessed on 2 November 2015



Case 3: Carinthia (Federal Republic of Austria)



Status: Federal state¹⁸

Population: 555,473 (2013)¹⁹

Territory: 9,533 sq. km²⁰

Main ethnic groups: Austrians, Germans, Slovenes²¹

Main languages spoken: German, Slovenian²²

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 1998²³
- The European Charter for Regional or Minority Languages: ratified in 2001²⁴

Relevant national legal frameworks:

- The Austrian State Treaty from 1955, amended by 2005 Constitutional Court decision
- Bilingual Signposts Act 1972
- Federal Act (1976) on the legal status of ethnic groups in Austria (Ethnic Groups Act)
- Bilingual Signs Law 2011

The Federal Republic of Austria is divided in 9 federal states with the official state language being German²⁵. Austria recognizes six national minorities: Czechs, Burgenland-Croats, Hungarians, Roma and Sinti, Slovaks, and Slovenes.

According to Article 7 (3) of the Austrian State Treaty of 1955, amended by a 2005 Constitutional Court decision, “in the administrative and judicial districts of Carinthia, Burgenland and Styria, where there are Slovene, Croat or mixed populations, the Slovene or Croat language shall be accepted as an official language in addition to German. In such districts topographical terminology and inscriptions shall be in the Slovene or Croat language as well as in German”²⁶ The question of bilingual signs being controversial, the Bilingual Signposts Act (1972) and Ethnic Groups Act (1976) were adopted²⁷. However, ethnic groups, extremists, and local governmental authorities largely opposed the existing legal framework and the issue was not settled²⁸ until 2011, when the Bilingual Signs Law was adopted. The law stipulates that in order for an ethnic group to enjoy the right to bilingual topographical signs, it has to comprise at least 17.5% of the total population, while it also imposed the posting of 164 signs in Carinthia.²⁹ As a result of the legislation, new bilingual topographical signs were posted.

¹⁸ Britannica.com, “Kärnten” [Carinthia], <http://www.britannica.com/EBchecked/topic/312595/Karnten>, accessed on 2 November 2015

¹⁹ Statistik Austria, “Bevölkerung am 1.1.2013 nach Detaillierter Staatsangehörigkeit und Bundesland” [Population on 1.1.2013 according to Detailed Nationality and State], http://www.statistik.at/web_de/statistiken/bevoelkerung/bevoelkerungsstruktur/bevoelkerung_nach_stataangehoerigkeit_geburtsland/064287.html, accessed on 2 November 2015

²⁰ Land Karten, “Geographie”, http://www.ktn.gv.at/39864_DE-LAND_UND_POLITIK-Geographie, accessed on 2 November 2015

²¹ Statistik Austria, “Österreich Zahlen Daten Fakten” [Austria Numbers Data Facts], pages 1-147., https://www.google.ch/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDIQFjAB&url=https%3A%2F%2Fwww.statistik.at%2Fweb_de%2Fstati_c%2Foesterreich_zahlen_daten_fakten_029266.pdf&ei=vsNPU_-BBCik7Qbt_oGABA&usg=AFQjCNEvxASfumWo4Z0vHBq4kIgJJeyt7g&bvm=bv.64764171.d.ZGU&cad=rja, accessed on 2 November 2015

²² Federal Chancellery Law Information Service, “Federal Law Consolidated: Complete Federal Constitutional Law, as Valid on 20 February 2014”, Article 8 (1); Bevölkerung mit Österreichischer Staatsbürgerschaft nach Umgangssprache seit 1971“ [Population with Austrian Nationality According to Language of Everyday Use since 1971], http://www.statistik.at/web_de/statistiken/bevoelkerung/volkszaehlungen_registerzaehlungen/bevoelkerung_nach_demographischen_merkmalen/022886.htm, accessed on 2 November 2015

²³ Geographical reach of the Framework Convention for the Protection of National Minorities available at http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

²⁴ The European Charter for Regional or Minority Languages, “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=148&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

²⁵ Constitution of Austria (1920), available at: https://www.constituteproject.org/constitution/Austria_2013?lang=en, accessed on 9 November 2015.

²⁶ Austrian State Treaty (1955), <http://www.dipublico.org/100823/state-treaty-with-annexes-and-maps-for-the-re-establish%2Adment-of-an-independent-and-democratic-austria-signed-at-vienna-on-15-may-1955/>, accessed on 2 November 2015

²⁷ U.S. English Foundation Research, “Austria”, available at <http://usefoundation.org/view/87>, accessed on 2 November 2015

²⁸ Smejkalová, “Slovenian Minority in Austria”.

²⁹ Slovenia Times, “Austrian President Signs Bilingual Posts Law”, <http://www.sloveniatimes.com/austrian-president-signs-bilingual-posts-law>, accessed on 2 November 2015



Case 4: Český Těšín (The Czech Republic)



Status: Town³⁰

Population: 26,429³¹

Territory: 33.81sq. km

Main ethnic groups: Czechs, Poles³²

Main languages spoken: Polish, Czech

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 1997³³
- The European Charter for Regional or Minority Languages: ratified in 2006³⁴

Relevant national legal frameworks:

- Act No 128/2000 Coll., on Municipalities (the Municipal Order), as amended by Act No 273/2001 Coll., Act No 320/2001 Coll., Act No 450/2001 Coll., Act No 311/2002 Coll., and Act No 313/2002 Coll ACT on Municipalities (the Municipal Order).

The Czech Republic is divided into 14 self-governing territorial regions (13 regions and the capital city of Prague), and further into 6 253 municipalities³⁵. The Act on Municipalities defines a municipality as a “basic territorial self-governing community of citizens” and according to section 28, “each municipality is entitled to decide on the names of parts of municipality, streets and other public places. Where a municipality is inhabited by national minorities, the name of the municipality, its parts, streets and other public places, and the labelling of the buildings of state authorities and territorial self-governing units shall also be stated in the language of the national minority on condition that at least 10% of the citizens of the municipality declared themselves members of this nationality during the last census and that at least 40% of adult citizens of the municipality declaring themselves members of this national minority sign requesting such use of their minority language”³⁶.

In 2006, the law was amended by Act no. 234/ 2006, which replaces the 40% threshold with the provision “if representatives of a national minority request [signs in their language], through the Committee of National Minorities [of the local government], and if the Committee resolves to endorse this request”. Currently, on the territory of the Czech Republic there are 14 recognized minorities and there is no law on official language use, however the usage of Czech is specified in the Law for Specific Situations³⁷ and Polish, German, Romani, Slovak and Moravian Croatian³⁸ are declared as the protected languages.³⁹ The presence of Polish topographical signs in the Český Těšín region dates back to the communist period. After the fall of Communism, the topographical signs were replaced. Despite further simplification of the procedure, the minorities encountered financial barriers, as the authorities refused to place new signs due to financial costs.⁴⁰

³⁰ Czech Statistical Office, “Demographic Yearbook of Towns of the Czech Republic - 2005 – 2014”, <https://www.czso.cz/csu/czso/demographic-yearbook-of-towns-of-the-czech-republic-2005-2014>, accessed on 9 November 2015

³¹ Czech Statistical Office, “Population and housing census 2001”, https://www.czso.cz/statistic/sldb/sldb2001.nsf/obceen/598933_opendocument, accessed on 2 November 2015

³² Prague Castle, “Czech Republic”, <http://www.hrad.cz/en/czech-republic/index.shtml>, accessed on 2 November 2015

³³ Geographical reach of the Framework Convention for the Protection of National Minorities available at

http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

³⁴ The European Charter for Regional or Minority Languages, “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=14&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

³⁵ Czech Statistical Office, “Size Groups of Municipalities”, available at: <https://vdb.czso.cz/vdbvo2/faces/en/index.jsf?page=vystup-objekt&katalog=31737&pvo=RSO02D>, last accessed on 9 November 2015

³⁶ Act No 128/2000.

³⁷ Report Submitted By The Czech Republic Pursuant To Article 25 (1) Of The Framework Convention For The Protection Of National Minorities, http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_1st_SR_CzechRepublic_en.pdf, accessed on 2 November 2015

³⁸ See further ECRML Reports on Czech Republic, available at: http://www.coe.int/t/dg4/education/minlang/Report/default_en.asp#Czech

³⁹ Fourth Report Submitted By The Czech Republic Pursuant To Article 25 (2) Of The Framework Convention For The Protection Of National Minorities, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800922bb>, accessed on 2 November 2015

⁴⁰ Marian Sloboda, Lucija Simicic, Ezster Szabo Gilinger and Dick Vigers, “The Policies in Public Signage in Minority Languages and Their Reception in Four Traditionally European Locations”, http://eprints.lib.hokudai.ac.jp/dspace/bitstream/2115/51186/1/MSC63_004.pdf, accessed on 2 November 2015



Case 5: Gagauzia (The Republic of Moldova)



Status: Autonomous Territorial Unit

Population: 155,646⁴¹

Territory: 1,832 sq.km

Main ethnic groups: Gagauz, Bulgarians, Moldovans, Russians, Ukrainians⁴²

Main languages spoken: Gagauz, Romanian, Russian

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 1996⁴³
- The European Charter for Regional or Minority Languages: signed in 2002⁴⁴, but not ratified

Relevant national legal frameworks:

- The Law on the status of the State Language in the Moldavian Soviet Socialist Republic (1989)
- The Law on the function of language on the territory of the Moldavian Soviet Socialist Republic (1989)
- The Constitution of Moldova
- Law 344 (1994) on Status of Gagauz

Gagauzia is an autonomous territorial unit within the Republic of Moldova with a special legal status. The Law on the special legal status of Gagauzia (Gagauz Yeri), Article 16, states that the Gagauz, Romanian and Russian languages are the official languages of Gagauzia.⁴⁵ Article 13 of the Constitution of Moldova (1994) states that “The State shall acknowledge and protect the right to the preservation, development and use of the Russian language and other languages spoken within the territory of the State.”

The Report submitted by the Republic of Moldova pursuant to Article 25 (1) of the Framework Convention for the Protection of National Minorities (29 June 2000) includes information about topographical signs in Gagauzia: “The names of squares, streets, alleyways and town districts are expressed in the official language without translation (in areas populated by Gagauz, in Gagauz) and, in rural regions with substantial Ukrainian, Russian or Bulgarian populations, in an acceptable language. In rural regions with substantial Ukrainian or Bulgarian populations, the visual information may also be presented in the respective language”.⁴⁶ The Second Report submitted by the Republic of Moldova stated that “as the practice shows, the information with the indication of the names of streets of urban areas, public establishments, places of public accommodations is not always in the Moldavian and Russian languages, more often in only Romanian or Russian.”⁴⁷

⁴¹ Official web-page of Gagauz Autonomous Territorial Unit, “Information on the Population of Gagauzia”<http://www.gagauzia.md/pageview.php?l=ru&idc=363> , accessed on 2 November 2015

⁴² National Bureau of Statistics of the Republic of Moldova, Population census 2004, Demographic, national, language and cultural characteristics, available at: <http://www.statistica.md/pageview.php?l=en&idc=295&id=2234>, accessed on 9 November 201, Table 6.

⁴³ Geographical reach of the Framework Convention for the Protection of National Minorities available at, http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

⁴⁴ The European Charter for Regional or Minority Languages, “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=148&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

⁴⁵ Law on special legal status of Gagauzia (Gagauz Yeri), available at: <http://www.gagauzia.md/pageview.php?l=en&idc=389&id=240> , accessed on 2 November 2015

⁴⁶ Report submitted by the Republic of Moldova pursuant to Article 25 (1) of the Framework Convention for the Protection of National Minorities (29 June 2000), page 23

⁴⁷ Second Report Submitted by the Republic of Moldova Pursuant to Article 25 (1) of the Framework Convention for the Protection of National Minorities, 14 May 2004, page 27



Case 6: Piran/ Pirano (The Republic of Slovenia)



Status: Autonomous municipality⁴⁸

Population: 16,758

Territory: 46.6 sq. km⁴⁹

Main ethnic groups: Slovene, Italian

Main languages spoken: Italian, Slovene⁵⁰

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 1998⁵¹
- The European Charter for Regional or Minority Languages: ratified in 2000⁵²

Relevant national legal frameworks:

- Regulations on Determining the Names of Settlements and Streets and on the Marking of Settlements, Streets and Buildings (Uradni list SRS, No. 11/80)⁵³
- Act Determining the Names of Settlements, Streets and Buildings and the Registering Thereof (Uradni list SRS, No. 8/80)⁵⁴
- Statute of the Municipality of Piran/Pirano (Official Bulletin 10/1999)

After the Republic of Slovenia seceded from Yugoslavia, it recognized as national minorities two groups: the Italians and Hungarians, while the Roma are considered to be an ethnic community. The Constitution of the Republic of Slovenia⁵⁵, together with over 70 laws represent the legal framework which provides national minorities with rights, including the recognition of Hungarian and Italian as official languages in those areas populated by Italians and Hungarians.⁵⁶

In what concerns the right to bilingual topographical signs, there is legislation at both national and municipal levels. Article 25 of the Regulations on Determining the Names of Settlements and Streets and the Marking of Settlements, Streets and Buildings⁵⁷ stipulates that “in the areas populated by both Slovene people and members of the Italian and/or Hungarian national community, the names of settlements and streets on signs shall be written in both languages. The Slovene name shall be written above and the name in the language of the national community below. Both inscriptions shall be of the same size.” Additionally, Article 8 of the same law places the responsibility to place bilingual topographical signs to municipal authorities, including naming, renaming, merging, dividing and abolition of settlements and streets, and on the definition of the area of settlements. According to Article 75 of the Statute of the Municipality of Piran/Pirano: “Public inscriptions in the ethnically mixed area shall be bilingual”.⁵⁸

As a consequence, Slovenian topographical signs have been placed in the Municipality of Piran/Pirano. According to the first Opinion issued by the Advisory Committee, in all the “ethnically mixed areas” the legislation has been respected and implemented.⁵⁹

⁴⁸ Statuto Del Comune Di Pirano, <http://www.piran.si/index.php?page=static&item=422>, accessed on 2 November 2015

⁴⁹ Comune Di Pirano, “Presentation”

⁵⁰ Statuto Del Comune Di Pirano, art 68

⁵¹ Geographical reach of the Framework Convention for the Protection of National Minorities available at http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

⁵² The European Charter for Regional or Minority Languages. “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=148&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

⁵³ Initial Periodical Report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, Slovenia, https://www.coe.int/t/dg4/education/minlang/Report/PeriodicalReports/SloveniaPR1_en.pdf, accessed on 2 November 2015

⁵⁴ Initial Periodical Report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, Slovenia, https://www.coe.int/t/dg4/education/minlang/Report/PeriodicalReports/SloveniaPR1_en.pdf, accessed on 2 November 2015

⁵⁵ Constitution of Slovenia, <http://www.us-rs.si/en/about-the-court/legal-basis/>, accessed on 2 November 2015

⁵⁶ Jelka Zorn, “Slovenia: Ethnic Exclusion in a model Accession State”, in Minority Rights in Central and Eastern Europe, edited by Bernd Rachel (London and New York: Routledge, 2009), pages 210–224.

⁵⁷ Regulation on settling issues of determining areas of settlements, determining of house numbers and street layouts and house and street markings (Official Gazette of the Republic of Slovenia, No. 76/2008)

⁵⁸ Statuto Del Comune Di Pirano, art 68.

⁵⁹ The Advisory Committee on the Framework Convention for the Protection of National Minorities, “Opinion On Slovenia” (adopted on 12 September 2002), page 16, http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_1st_OP_Slovenia_en.pdf, accessed on 2 November 2015



Case 7: Alto Adige/Südtirol (The Italian Republic)



Status: Autonomous region in Italy

Population: 511,750⁶⁰

Territory: 7,399 sq. km

Main ethnic groups: Germans, Italians, Ladins.

Main languages spoken: German, Italian, Ladin

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 1998⁶¹
- The European Charter for Regional or Minority Languages: signed in 2000, but not ratified.⁶²

Relevant national/local legal frameworks:

- Constitution of Italy, Article 6⁶³
- Law No. 482 of 15 December 1999 on Protection of Historic Linguistic Minorities⁶⁴
- Special Statute of Trentino - Alto Adige adopted in 1972⁶⁵ Art 99 states that in the “region the German language is given parity”, thus, granting equal rights similar to the Italian – the state language.

The Italian Republic is divided in 15 regions and 5 autonomous regions.⁶⁶ At the national level, the official language is Italian, but at the regional level, French, German and Slovene are also recognized.⁶⁷ According to Article 6 of the Constitution, the protection of the linguistic minorities is a constitutional obligation of the state, referring to the recognized linguistic minorities as stipulated in Law 482/1999. The right to topographical signs is guaranteed by national and regional legislation.

At the national level, Law No. 482/1999 on the Protection of Historic Linguistic Minorities requires that languages listed in the Constitution and the respective cultures can be taught in schools, that official documents and acts should be bilingual, and that the local language can be used for territorial broadcasting information. Article 3 also states “this Act and articles set therein are applied to districts and territories where it has been approved by the District Council based on a request of minimum 15 per cent of citizens enlisted in the electoral roll for these regions, or of one third of Council members.”

The Special Statute of Trentino - Alto Adige (Article 8) stipulates that the province has the authority, among others, to issue laws on topographical signs, without prejudice to the requirement for bilingualism in the territory of the Province; Article 99 recognizes German as an official language, together with Italian while Article 102 extends the right to have topographical signs for “The Ladin, Mocheni and Cimbrian populations in the communes of Fierozzo/Florutz, Frassilongo/Gereut, Palù del Fersina/Palai im Fersental and Luserna/Lusern”. Additionally, in September 2013 a Memorandum of Understanding was signed, setting new provisions on bilingualism in the province, between the Minister for Regional Affairs and the President of the Autonomous Province of Bolzano/Bozen. As a result of the legislation presented above, in the Region Alto Adige/South Tyrol bilingual topographical signs have been placed. However, between 2011 and 2013 there were a number of instances of vandalism documented with regards the mono-lingual signs in South Tyrol.⁶⁸

⁶⁰ Suedtirol.info, “Facts and Figures on South Tyrol”, available at: <http://www.suedtirol.info/en/Plan-Your-Trip/South-Tyrol--Its-People/Facts--figures.html>, accessed on 2 November 2015

⁶¹ Geographical reach of the Framework Convention for the Protection of National Minorities available at, http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

⁶² The European Charter for Regional or Minority Languages, “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=14&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

⁶³ The Constitution of the Italian Republic (1947), https://www.constituteproject.org/constitution/Italy_2012?lang=en, accessed on 2 November 2015

⁶⁴ Act No. 482 of 15 December 1999 on Protection of Historic Linguistic Minorities (published in Gazzetta Ufficiale No. 297 on December 20, 1999) available at <http://usefoundation.org/view/336>, accessed on 2 November 2015

⁶⁵ The Special Statute of Trentino - Alto Adige (adopted in 1972), http://www.buergernetz.bz.it/en/downloads/autonomy_statute_eng.pdf

⁶⁶ Central Intelligence Agency, “Geography: Italy”, *The World Factbook*, 2013, <https://www.cia.gov/library/publications/the-world-factbook/geos/it.html>, accessed on 2 November 2015

⁶⁷ Ethnologue, “Italy”, <http://www.ethnologue.com/country/IT/status>, accessed on 2 November 2015

⁶⁸ Spiegel: “Word War: Italian Speakers Deface German Signs in South Tyrol”, 2nd September 2013, <http://www.spiegel.de/international/europe/language-dispute-south-tyrol-locals-add-italian-names-to-german-signs-a-919872.html>. The Telegraph, “Language War in South Tyrol”, 2011, <http://www.telegraph.co.uk/news/worldnews/europe/italy/8473351/Language-wars-in-South-Tyrol.html>, accessed on 2 November 2015



Case 8: Timișoara/Temeswar/Temesvár/Темишвар (Romania)



Status: Municipality

Population: 319,279⁶⁹

Territory: 129,2 sq. km⁷⁰

Main ethnic groups: Romanians, Hungarians, Germans, Ukrainians, Roma⁷¹

Main languages spoken: Romanian (official state), Hungarian, German, Ukrainian

Adopted international frameworks:

- The Framework Convention on National Minorities: ratified in 1995⁷²
- The European Charter for Regional or Minority Languages: ratified in 2008⁷³

Relevant national legal frameworks:

- Law 215/ 2001 on Local Public Administration, Art. 76 (4) (as amended on 29 May 2015 or art 90 (4) for the original law from 2001)⁷⁴
- Government Decision Nr. 1206/ 2001, Art 4.1 and 11.1⁷⁵

Romania is divided into 41 counties plus the municipality of Bucharest.⁷⁶ Romania has 20 officially recognized minority groups which represent over 10% of the total population. The official language of the country is Romanian, but according to Art. 120 Para.2 of the Romanian Constitution, minority languages can be “used in written and oral relations with local government authorities and the decentralized public services, as provided by the organic law.”⁷⁷ However, the Law 215/2001 on Local Government stipulates that the Article 120(2) applies to those territories where national minorities have a share of over 20% of the residents. Law no. 215/2001 together with the Government Decision 1206/2001 represent the legislative frame that guarantees the right to install bilingual topographical signs. The responsibility to assure the implementation of this right falls on local authorities.

Despite the fact that the law imposed a threshold, it does not prohibit the placement of bilingual topographical signs on a voluntary basis in case the criteria is not meet. According to the result of the last census (2011), none of the minority groups in Timișoara/Temeswar/Temesvár/Темишвар pass the 20% threshold.⁷⁸ In spite of this, the authorities have placed signs in all four languages, in order to show the multi-ethnic composition of the municipality.⁷⁹ The case of Timișoara/Temeswar/Temesvár/Темишвар is not unique in Romania, as, for example, in Aiud/Nagyenyed/Straßburg am Mieresch, Brașov/Brassó/Kronstadt, Mediaș/Mediasch/Medgyes, Sibiu/Hermannstadt and Sighișoara/Schäßburg/Segesvár there are also bilingual topographical signs in spite of the fact that minority groups do not represent 20% of the total population.⁸⁰

⁶⁹ National Institute of Statistics, “Rezultate definitive ale Recensamantului Populatiei si al Locuintelor- 2011” [Final Results of the Population and Housing Census- 2011], http://www.recensamantromania.ro/wp-content/uploads/2013/07/REZULTATE-DEFINITIVE-RPL_2011.pdf, accessed on 2 November 2015

⁷⁰ Metropotam, “Timisoara”, <http://metropotam.ro/Orase/Timisoara-art8561841002/>, accessed on 2 November 2015

⁷¹ National Institute of Statistics, “ Populatia stabila dupa etnie- categorii de localități și județe”

⁷² Geographical reach of the Framework Convention for the Protection of National Minorities available at http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

⁷³ The European Charter for Regional or Minority Languages, “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=148&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

⁷⁴ Law 215/ 2001 on Local Public Administration, http://www.cdep.ro/pls/legis/legis_pck_act_text?id=27123, accessed on 2 November 2015

⁷⁵ Government Decision Nr. 1206/ 2001, <http://www.legex.ro/Hotararea-1206-2001-28563.aspx> , accessed on 2 November 2015

⁷⁶ Presidency.ro, “Date generale” [General Information], http://presidency.ro/?_RID=htm&id=81&exp2=ro, accessed on 2 November 2015

⁷⁷ Constitution of Romania, available at http://www.cdep.ro/pls/dic/site.page?den=act2_2&par1=3, accessed on 2 November 2015

⁷⁸ National Institute of Statistics, “Tab08. Populatia stabila dupa etnie – judete, municipii, orase, comune” [Table08. Population according to Ethnicity – Counties, Municipalities, Towns, Villages], *Rezultate*, <http://www.recensamantromania.ro/rezultate-2/>, accessed on 2 November 2015

⁷⁹ Adevarul.ro, “Capitala Banatului revine la cele patru limbi istorice: Timișoara, Temeswar, Temesvár, Темишвар”, http://adevarul.ro/locale/timisoara/capitala-banatului-revive-cele-patru-limbi-istorice-timisoara-temeswar-temesvar--1_50aeadbc7c42d5a6639f03fc/index.html , accessed on 2 November 2015

⁸⁰ Clujust.ro, “De ce trebuie montate plăcuțe bilingve la intrările în Cluj-Napoca” [Why There Should be Placed Bilingual Signs in Cluj/ Napoca], <http://www.clujust.ro/de-ce-trebuie-montate-placute-bilingve-la-intrarile-cluj-napoca-motivarea-tribunalului/>, accessed on 2 November 2015



Case 9: Vojvodina (The Republic of Serbia)



Status: Autonomous province

Population: 1,931,809⁸¹

Territory: 21,506 sq. km

Main ethnic groups: Serbs, Hungarians, Romanians, Slovaks, Croats, Ruthenians

Main languages spoken: Serbian, Hungarian, Romanian, Slovak, Ruthenian, Croatian

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 2001
- The European Charter for Regional or Minority Languages: ratified in 2005

Relevant National legal frameworks:

- Constitution of the Republic of Serbia
- The Statute of The Autonomous Province of Vojvodina
- Law on Official Use of Languages and Scripts, Article 22
- Decision on More Specific Regulation of Certain Issues concerning Official Use of Languages and Scripts of National Minorities in the Territory of the Autonomous Province of Vojvodina, Article 8.3

The Republic of Serbia is divided into 5 main regions, among which two are territorial autonomies, AP Vojvodina and AP Kosovo-Metohija⁸². The official language is Serbian, as stipulated in Article 10 of the Constitution, but this nevertheless does not forbid the use of other languages as Article 79 of the Constitution states that “members of national minorities shall have a right to traditional local names, names of streets, settlements and topographic names also written in their languages, in areas where they make a significant majority of population.”⁸³

Additionally, the right to topographical signs is guaranteed by Article 22 of the Law on Official Use of Languages and Scripts. Specifically, it posits that national councils of national minorities shall, *inter alia*: establish the traditional names of local self-government units, settlements and other geographic names in the language of the national minority, if the language of the national minority is in official use in the local self-government unit or settlement.⁸⁴

AP Vojvodina, as a territorial autonomy, has the right to self-government and to adopt legislation, including on bilingual topographical signs. The Statute of the Autonomous Province of Vojvodina, Article 26 (1), states that there are 6 official languages recognized: Serbian, Hungarian, Romanian, Slovak, Ruthenian and Croatian⁸⁵. As a consequence, topographic signs should be provided in all six recognized languages.

According to Article 8.3 of the Decision on More Specific Regulation of Certain Issues concerning Official Use of Languages and Scripts of National Minorities in the Territory of the Autonomous Province of Vojvodina national minorities are entitled to use their language, if their language is not officially recognized, in those localities of the municipality where they constitute more than 25% of the total population.⁸⁶ In order to facilitate the implementation of bilingual topographical signs, Vojvodina has decreased the threshold from 25% to 15 %.⁸⁷ After the National Council of the Hungarian National Minority adopted the Decision on Establishing Hungarian Names of Settlements in Vojvodina, a number of instances of vandalism related to the bi-lingual topographic signs were documented.⁸⁸

⁸¹ Official website of the Autonomous Province of Vojvodina, “Autonomous Province of Vojvodina”, <http://www.vojvodina.gov.rs/en/autonomous-province-vojvodina>, accessed on 2 November 2015

⁸² Since 2008 Kosovo has declared independence, however, it is not recognized by the Republic of Serbia.

⁸³ Constitution of the Republic of Serbia (“Official Gazette of the Republic of Serbia” number 98/2006), articles 10 and 79

⁸⁴ Third Report Submitted by Serbia Pursuant to Article 25 (2) of the Framework Convention For The Protection Of National Minorities, , http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_SR_Serbia_en.pdf , accessed on 2 November 2015

⁸⁵ The Statute of The Autonomous Province of Vojvodina (“Official Gazette of AP Vojvodina”, number 20/2014), article 26

⁸⁶ Advisory Committee On The Framework Convention For The Protection Of National Minorities, “Second Opinion on Serbia adopted on 19 March 2009”, http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_OP_Serbia_en.pdf, p. 31, accessed on 2 November 2015

⁸⁷ Advisory Committee On The Framework Convention For The Protection Of National Minorities, “Second Opinion on Serbia”.

⁸⁸ Hungarian Human Rights Foundation, “Anti-Minority Incidents

Continue in Vojvodina”, <http://www.hhrf.org/hhrf/en/vojvodinareport-nov-2004.htm> , accessed on 2 November 2015



Case 10: Wales (The United Kingdom of Great Britain and Northern Ireland)



Status: Self-governing entity⁸⁹

Population: 3,092,036⁹⁰

Territory: 20,758 sq. km⁹¹

Main ethnic groups:

Main languages spoken: English (official state), Welsh (official regional)⁹²

Adopted international frameworks:

- The Framework Convention for the Protection of National Minorities: ratified in 1998⁹³
- The European Charter for Regional or Minority Languages: ratified in 2001⁹⁴

Relevant National legal frameworks:

- Welsh Language Act 1967
- Welsh Language Act 1993
- Welsh Language (Wales) Measure 2011

The unitary state of the United Kingdom of Great Britain and Northern Ireland is composed of four entities: England, Wales, Scotland, and Northern Ireland. The government is organized at three levels: central, local, and the government of Scotland and Wales.⁹⁵

The government of Wales has the duty to propose and implement the policies on the territory of Wales, having responsibility on the following matters: education, health, local government, transport, planning, economic development, social care, culture, environment, and agriculture and rural affairs.⁹⁶ With regard to the official language, in Wales English and Welsh are recognized, according to Section 25(2) of the Welsh Language Act from 1993 which stipulates that “where an Act of Parliament gives power, exercisable by statutory instrument, to confer a name on anybody, office or place, the power shall include power to confer alternative names in English and Welsh.”⁹⁷

The campaign for bilingual topographical signs in Wales dates back in the end of the 1960s, when the Welsh Language Society lobbied against the intransigence of the British government. Bilingual topographical signs were posted by the councils as soon as the government allowed this at the end of the 1970s.⁹⁸ In 1988, it was established that the non-statutory Welsh Language board would advise the Secretary of State for Wales on matters connected with the language.⁹⁹ In 2011, the Advisory Committee Opinion stated that the situation of bilingual topographical signs in Wales is satisfactory, and appears to be well developed.”¹⁰⁰

⁸⁹ Welsh Government, “Organisation Explained”, <http://gov.wales/about/organisationexplained/?lang=en>, accessed on 2 November 2015

⁹⁰ Welsh Government, “Mid Year Estimates of the Population”, <http://gov.wales/statistics-and-research/mid-year-estimates-population/?lang=en>, accessed on 2 November 2015

⁹¹ Click on Wales, “Geography”, http://www.clickonwales.org/wp-content/uploads/1_Factfile_Geography.pdf, accessed on 2 November 2015

⁹² <http://www.legislation.gov.uk/mwa/2011/1/section/1/enacted>, accessed on 2 November 2015

⁹³ Geographical reach of the Framework Convention for the Protection of National Minorities available at,

http://www.coe.int/t/dghl/monitoring/minorities/1_AtGlance/PDF_MapMinorities_bil.pdf, accessed on 2 November 2015

⁹⁴ The European Charter for Regional or Minority Languages, “Signatories and Ratifications”, <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=14&CM=8&DF=&CL=ENG>, accessed on 2 November 2015

⁹⁵ Committee of Experts, “Application of the Charter in the United Kingdom”,

http://www.coe.int/t/dg4/education/minlang/Report/EvaluationReports/UKECRML1_en.pdf, accessed on 2 November 2015

⁹⁶ Welsh Government, “Welsh Government: A Quick Guide”, <http://gov.wales/docs/caecd/publications/150518-quick-guide-en.pdf>, accessed on 2 November 2015

⁹⁷ Welsh Language Act 1993, <http://www.legislation.gov.uk/ukpga/1993/38/section/25>, accessed on 2 November 2015

⁹⁸ Paul Graves-Brown, Rodney Harrison, Angela Piccini, *The Oxford Handbook of the Archaeology of the Contemporary World* (Oxford: Oxford University Press), 445–446.

⁹⁹ US English Foundation Research, “United Kingdom”, <http://usefoundation.org/view/633>

¹⁰⁰ Advisory Committee On The Framework Convention For The Protection Of National Minorities, “Third Opinion on the United Kingdom adopted on 30 June 2011”, http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_UK_en.pdf, accessed on 2 November 2015



ANNEXES

Overview table

#	Case	Status	Minority groups recognized	Majority language as official state language	Minority language as official regional language	ECRML ratified	FCNM ratified	Bi-lingual topographical signs	Minority population requirement	Decided by local government ¹
1	The Basque Countries	Autonomous communities	Yes	Yes	Yes	Yes ²	Yes	Yes	No	Yes
2	Bretagne/ Brittany	Region	No	Yes	No	No	No	Yes	No	Yes
3	Carinthia	Federal state	Yes	Yes	Yes	Yes ³	Yes	Yes	Yes	Yes
4	Český Těšín	Town	Yes	No ⁴	No	Yes ⁵	Yes	Yes	No	Yes
5	Gagauzia	Autonomous territorial unit	Yes	Yes	Yes	No	Yes	Yes	No	Yes
6	Piran/Pirano	Autonomous municipality	Yes	Yes	Yes	Yes ⁶	Yes	Yes	No	No ⁷
7	Alto Adige / South Tyrol	Autonomous region	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
8	Timișoara /Temeswar /Temesvár /Темишвар	Municipality	Yes	Yes	Yes	Yes ⁸	Yes	Yes	Yes	Yes
9	Vojvodina	Autonomous province	Yes	Yes	Yes	Yes ⁹	Yes	Yes	Yes	Yes
10	Wales	Self-governing entity	Yes	Yes	Yes	Yes ¹⁰	Yes	Yes	No	Yes



¹ Whether installment of bi-lingual topographical signs is a decision/competence of the local government.

² The provisions set by the following articles apply: Article 8: paragraph 1 a(i), b(i), c(i), d(i), e(iii), f(i), g, h, i; paragraph 2; Article 9: paragraph 1 a(i), a(ii), a(iii), a(iv), b(i), b(ii), b(iii), c(i), c(ii), d; paragraph 2 a; paragraph 3; Article 10: paragraph 1 a(i), b, c; paragraph 2 a, b c, d, e, f, g; paragraph 3 a, b; paragraph 4, sub-paragraphs a, b, c; paragraph 5; Article 11: paragraph 1 a(i), b(i), c(i), d, e(i), f(ii), g; paragraph 2; paragraph 3; Article 12: paragraph 1 a, b, c, d, e, f, g, h; paragraph 2; paragraph 3; Article 13: paragraph 1 a, b, c, d; paragraph 2 a, b, c, d, e; Article 14: a, b.

³ The provisions set by the following articles apply: Article 8, paragraph 1 a iv; b ii; c iii; d iv; e iii; f iii; g; h; i; paragraph 2; Article 9, paragraph 1 a ii and iii; b ii and iii; c ii and iii; d; paragraph 2 a; Article 10, paragraph 1 a iii; c; paragraph 2 b and d; paragraph 4 a; paragraph 5; Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2; Article 12, paragraph 1 a, d; f; paragraph 2; paragraph 3; Article 13, paragraph 1 d; Article 14 b.

⁴ In the Czech Republic there is no law on official languages, however: the usage of Czech is specified in the Law for Specific Situations and Polish, German, Roma and Slovak are declared as the protected languages.

⁵ The provisions set by the following articles apply: Article 8, paragraph 1 a (i), a (ii), b (i), b (ii), c (i), c (ii), d (ii), e (iii), f (iii), g, h, i, paragraph 2; Article 9, paragraph 1 a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii), d, paragraph 2 a; Article 10, paragraph 1 a (iv), paragraph 2 b, e, f, g, paragraph 4 a, paragraph 5; Article 11, paragraph 1 a (iii), b (ii), c (ii), d, e (i), paragraph 2; Article 12, paragraph 1 a, f, g, paragraph 2, paragraph 3; Article 13, paragraph 1 c, paragraph 2 e; Article 14 a, b.

⁶ The provisions set by the following articles apply: Article 8: paragraph 1 a (i), b (i), c (i), d (i), e (iii), f (iii), g, h, i; paragraph 2; Article 9: paragraph 1 a, b, c, d; paragraph 2 a; Article 10: paragraph 1 a (i), b, c; paragraph 2; paragraph 3 a; paragraph 4; paragraph 5; Article 11: paragraph 1 a (i), e (i); paragraph 2; paragraph 3; Article 12: paragraph 1 a, d, e, f; paragraph 2; paragraph 3; Article 13: paragraph 1; paragraph 2; Article 14: paragraph a; paragraph b.

⁷ Regulations are set by the national legal framework

⁸ The provisions set by the following articles apply: German language: Article 8: paragraph 1 a(i), b(i), c(i), d(i), e(i), f(iii), g, h, i; paragraph 2; Article 9: paragraph 1 a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d; paragraph 2 a; paragraph 3; Article 10: paragraph 1, a(ii), a(iii), a(iv), a(v), b, c; paragraph 2 b, c, d, e, f, g; paragraph 3 a, b, c; paragraph 4 b, c; paragraph 5; Article 11: paragraph 1 a(iii), b(ii), d, e(i), f(i), g; paragraph 2; paragraph 3; Article 12: paragraph 1; paragraph 2; paragraph 3; Article 13: paragraph 1 a, b, c; paragraph 2 c, d, e; Article 14: paragraph a; paragraph b. Hungarian language: Article 8: paragraph 1 a(i), b(i), c(i), d(i), e(i), f(i), g, h, i; paragraph 2; Article: paragraph 1 a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d; paragraph 2 a; paragraph 3; Article 10: paragraph 1 a(ii), a(iii), a(iv), a(v), b, c; paragraph 2 b, c, d, e, f, g; paragraph 3; paragraph 4 b, c; paragraph 5; Article 11: paragraph 1 a(ii), b(i), c(i), d, e(i), f(i), g; paragraph 2; paragraph 3; Article 12: paragraph 1; paragraph 2; paragraph 3; Article 13: paragraph 1; paragraph 2 c, d, e; Article 14: paragraph a; paragraph b. Serbian language: Article 8: paragraph 1 a(ii), b(i), c(i), d(iv), e(ii), g, h, i; Article 9: paragraph 1 a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d; paragraph 2 a; paragraph 3; Article 10: paragraph 1 a(ii), a(iii), b(ii), b(iii), c(ii), c(iii), d; paragraph 2 a; paragraph 3; Article 11: paragraph 1 a(iii), b(ii), c(ii), d, e(i), g; paragraph 2; paragraph 3; Article 12: paragraph 1; paragraph 2; paragraph 3; Article 13: paragraph 1 a, b; Article 14: paragraph a; paragraph b.

⁹ The provisions set by the following articles apply: Article 8, paragraph 1 a (iii), a (iv), b (iv), c (iv), d (iv), e (ii), f (iii), g; Article 9, paragraph 1 a (ii), a (iii), b (ii), c (ii), d, paragraph 2 a, b, c, paragraph 3; Article 10, paragraph 1 a (iv), a (v), c, paragraph 2 b, c, d, g, paragraph 3 c, paragraph 4 c, paragraph 5; Article 11, paragraph 1 a (iii), b (ii), c (ii), d, e (i), f (ii), paragraph 2, paragraph 3; Article 12, paragraph 1 a, b, c, f, paragraph 2; Article 13, paragraph 1 c; Article 14 a, b.

¹⁰ The provisions set by the following articles apply: Article 8: paragraph 1a (i), b (i), c (i), d(iv), e (iii), f (ii), g, h, i; Article 9: paragraph 1 a (ii), a (iii), b (ii), b (iii), c (ii), c (iii), d; paragraph 2 b; Article 10: paragraph a (i), b, c; paragraph 2 a, b, c, d, e, f, g; paragraph 3 a; paragraph 4 a, b; paragraph 5; Article 11: paragraph 1 a (i), d, e (i), f (ii); paragraph 2; paragraph 3; Article 12: paragraph 1 a, b, c, d, e, f, g, h; paragraph 2; paragraph 3; Article 13: paragraph 1 a, c; paragraph 2 b, c, e.



Framework Convention for the Protection of National Minorities

The member States of the Council of Europe and the other States, signatories to the present framework Convention, Considering that the aim of the Council of Europe is to achieve greater unity between its members for the purpose of safeguarding and realizing the ideals and principles which are their common heritage; Considering that one of the methods by which that aim is to be pursued is the maintenance and further realisation of human rights and fundamental freedoms; Wishing to follow-up the Declaration of the Heads of State and Government of the member States of the Council of Europe adopted in Vienna on 9 October 1993; Being resolved to protect within their respective territories the existence of national minorities; Considering that the upheavals of European history have shown that the protection of national minorities is essential to stability, democratic security and peace in this continent; Considering that a pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity; Considering that the creation of a climate of tolerance and dialogue is necessary to enable cultural diversity to be a source and a factor, not of division, but of enrichment for each society; Considering that the realisation of a tolerant and prosperous Europe does not depend solely on co-operation between States but also requires transfrontier co-operation between local and regional authorities without prejudice to the constitution and territorial integrity of each State; Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto; Having regard to the commitments concerning the protection of national minorities in United Nations conventions and declarations and in the documents of the Conference on Security and Co-operation in Europe, particularly the Copenhagen Document of 29 June 1990; Being resolved to define the principles to be respected and the obligations which flow from them, in order to ensure, in the member States and such other States as may become Parties to the present instrument, the effective protection of national minorities and of the rights and freedoms of persons belonging to those minorities, within the rule of law, respecting the territorial integrity and national sovereignty of states; Being determined to implement the principles set out in this framework Convention through national legislation and appropriate governmental policies, Have agreed as follows:

Section I

Article 1

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.

Article 2

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.

Article 3

1 Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.



2 Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.

Section II

Article 4

1 The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

2 The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

3 The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.

Article 5

1 The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

2 Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

Article 6

1 The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

2 The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

Article 7

The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.

Article 8

The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

Article 9

1 The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems that persons belonging to a national minority are not discriminated against in their access to the media.

2 Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.

3 The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking



into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.

4 In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.

Article 10

1 The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

2 In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

3 The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

Article 11

1 The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

2 The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

3 In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.

Article 12

1 The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.

2 In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.

3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

Article 13

1 Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.

2 The exercise of this right shall not entail any financial obligation for the Parties.

Article 14

1 The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.

2 In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.



3 Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

Article 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

Article 16

The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.

Article 17

1 The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.

2 The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.

Article 18

1 The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.

2 Where relevant, the Parties shall take measures to encourage transfrontier co-operation.

Article 19

The Parties undertake to respect and implement the principles enshrined in the present framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in international legal instruments, in particular the

Convention for the Protection of Human Rights and Fundamental Freedoms, in so far as they are relevant to the rights and freedoms flowing from the said principles.

Section III

Article 20

In the exercise of the rights and freedoms flowing from the principles enshrined in the present framework Convention, any person belonging to a national minority shall respect the national legislation and the rights of others, in particular those of persons belonging to the majority or to other national minorities.

Article 21

Nothing in the present framework Convention shall be interpreted as implying any right to engage in any activity or perform any act contrary to the fundamental principles of international law and in particular of the sovereign equality, territorial integrity and political independence of States.

Article 22

Nothing in the present framework Convention shall be construed as limiting or derogating from any of the human rights and fundamental freedoms which may be ensured under the laws of any Contracting Party or under any other agreement to which it is a Party.



Article 23

The rights and freedoms flowing from the principles enshrined in the present framework Convention, in so far as they are the subject of a corresponding provision in the Convention for the Protection of Human Rights and Fundamental Freedoms or in the Protocols thereto, shall be understood so as to conform to the latter provisions.

Section IV

Article 24

1 The Committee of Ministers of the Council of Europe shall monitor the implementation of this framework Convention by the Contracting Parties.

2 The Parties which are not members of the Council of Europe shall participate in the implementation mechanism, according to modalities to be determined.

Article 25

1 Within a period of one year following the entry into force of this framework Convention in respect of a Contracting Party, the latter shall transmit to the Secretary General of the Council of Europe full information on the legislative and other measures taken to give effect to the principles set out in this framework Convention.

2 Thereafter, each Party shall transmit to the Secretary General on a periodical basis and whenever the Committee of Ministers so requests any further information of relevance to the implementation of this framework Convention.

3 The Secretary General shall forward to the Committee of Ministers the information transmitted under the terms of this Article.

Article 26

1 In evaluating the adequacy of the measures taken by the Parties to give effect to the principles set out in this framework Convention the Committee of Ministers shall be assisted by an advisory committee, the members of which shall have recognized expertise in the field of the protection of national minorities.

2 The composition of this advisory committee and its procedure shall be determined by the Committee of Ministers within a period of one year following the entry into force of this framework Convention.

Section V

Article 27

This framework Convention shall be open for signature by the member States of the Council of Europe. Up until the date when the Convention enters into force, it shall also be open for signature by any other State so invited by the Committee of Ministers. It is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 28

1 This framework Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date on which twelve member States of the Council of Europe have expressed their consent to be bound by the Convention in accordance with the provisions of Article 27.

2 In respect of any member State which subsequently expresses its consent to be bound by it, the framework Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 29

1 After the entry into force of this framework Convention and after consulting the Contracting States, the Committee of Ministers of the Council of Europe may invite to accede to the Convention, by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe, any non-member State of the



Council of Europe which, invited to sign in accordance with the provisions of Article 27, has not yet done so, and any other non-member State.

2 In respect of any acceding State, the framework Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 30

1 Any State may at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories for whose international relations it is responsible to which this framework Convention shall apply.

2 Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this framework Convention to any other territory specified in the declaration. In respect of such territory the framework Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt of such declaration by the Secretary General.

3 Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.

Article 31

1 Any Party may at any time denounce this framework Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2 Such denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 32

The Secretary General of the Council of Europe shall notify the member States of the Council, other signatory States and any State which has acceded to this framework Convention, of:

- a any signature;
- b the deposit of any instrument of ratification, acceptance, approval or accession;
- c any date of entry into force of this framework Convention in accordance with Articles 28, 29 and 30;
- d any other act, notification or communication relating to this framework Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this framework Convention. Done at Strasbourg, this 1st day of February 1995, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe and to any State invited to sign or accede to this framework Convention.



European Charter for Regional or Minority Languages

Preamble

The member States of the Council of Europe signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members, particularly for the purpose of safeguarding and realising the ideals and principles which are their common heritage;

Considering that the protection of the historical regional or minority languages of Europe, some of which are in danger of eventual extinction, contributes to the maintenance and development of Europe's cultural wealth and traditions;

Considering that the right to use a regional or minority language in private and public life is an inalienable right conforming to the principles embodied in the United Nations International Covenant on Civil and Political Rights, and according to the spirit of the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms;

Having regard to the work carried out within the CSCE and in particular to the Helsinki Final Act of 1975 and the document of the Copenhagen Meeting of 1990;

Stressing the value of interculturalism and multilingualism and considering that the protection and encouragement of regional or minority languages should not be to the detriment of the official languages and the need to learn them;

Realising that the protection and promotion of regional or minority languages in the different countries and regions of Europe represent an important contribution to the building of a Europe based on the principles of democracy and cultural diversity within the framework of national sovereignty and territorial integrity;

Taking into consideration the specific conditions and historical traditions in the different regions of the European States,

Have agreed as follows:

Part I – General provisions

Article 1 – Definitions

For the purposes of this Charter:

a "regional or minority languages" means languages that are:

i traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population; and

ii different from the official language(s) of that State;

it does not include either dialects of the official language(s) of the State or the languages of migrants;

b "territory in which the regional or minority language is used" means the geographical area in which the said language is the mode of expression of a number of people justifying the adoption of the various protective and promotional measures provided for in this Charter;

c "non-territorial languages" means languages used by nationals of the State which differ from the language or languages used by the rest of the State's population but which, although traditionally used within the territory of the State, cannot be identified with a particular area thereof.

Article 2 – Undertakings

1 Each Party undertakes to apply the provisions of Part II to all the regional or minority languages spoken within its territory and which comply with the definition in Article 1.



2 In respect of each language specified at the time of ratification, acceptance or approval, in accordance with Article 3, each Party undertakes to apply a minimum of thirty-five paragraphs or sub-paragraphs chosen from among the provisions of Part III of the Charter, including at least three chosen from each of the Articles 8 and 12 and one from each of the Articles 9, 10, 11 and 13.

Article 3 – Practical arrangements

1 Each Contracting State shall specify in its instrument of ratification, acceptance or approval, each regional or minority language, or official language which is less widely used on the whole or part of its territory, to which the paragraphs chosen in accordance with Article 2, paragraph 2, shall apply.

2 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, acceptance or approval, or that it will apply paragraph 1 of the present article to other regional or minority languages, or to other official languages which are less widely used on the whole or part of its territory.

3 The undertakings referred to in the foregoing paragraph shall be deemed to form an integral part of the ratification, acceptance or approval and will have the same effect as from their date of notification.

Article 4 – Existing regimes of protection

1 Nothing in this Charter shall be construed as limiting or derogating from any of the rights guaranteed by the European Convention on Human Rights.

2 The provisions of this Charter shall not affect any more favourable provisions concerning the status of regional or minority languages, or the legal regime of persons belonging to minorities which may exist in a Party or are provided for by relevant bilateral or multilateral international agreements.

Article 5 – Existing obligations

Nothing in this Charter may be interpreted as implying any right to engage in any activity or perform any action in contravention of the purposes of the Charter of the United Nations or other obligations under international law, including the principle of the sovereignty and territorial integrity of States.

Article 6 – Information

The Parties undertake to see to it that the authorities, organisations and persons concerned are informed of the rights and duties established by this Charter.

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

Article 7 – Objectives and principles

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

- a the recognition of the regional or minority languages as an expression of cultural wealth;
- b the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;
- c the need for resolute action to promote regional or minority languages in order to safeguard them;
- d the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;
- e the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or



similar form, as well as the establishment of cultural relations with other groups in the State using different languages;

f the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;

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

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

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

2 The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.

3 The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.

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

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

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

Article 8 – Education

1 With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

a i to make available pre-school education in the relevant regional or minority languages; or

ii to make available a substantial part of pre-school education in the relevant regional or minority languages; or

iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or

iv if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;



- b i to make available primary education in the relevant regional or minority languages; or
 - ii to make available a substantial part of primary education in the relevant regional or minority languages; or
 - iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;
- c i to make available secondary education in the relevant regional or minority languages; or
 - ii to make available a substantial part of secondary education in the relevant regional or minority languages; or
 - iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- d i to make available technical and vocational education in the relevant regional or minority languages; or
 - ii to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
 - iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- e i to make available university and other higher education in regional or minority languages; or
 - ii to provide facilities for the study of these languages as university and higher education subjects; or
 - iii if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to 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;
- f i to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or
 - ii to offer such languages as subjects of adult and continuing education; or
 - iii 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;
- g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;
- h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;



i 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.

2 With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

Article 9 – Judicial authorities

1 The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

a in criminal proceedings:

i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or

ii to guarantee the accused the right to use his/her regional or minority language; and/or

iii to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language; and/or

iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language,

if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

b in civil proceedings:

i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or

iii to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;

c in proceedings before courts concerning administrative matters:

i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or

iii to allow documents and evidence to be produced in the regional or minority languages,

if necessary by the use of interpreters and translations;

d to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned.

2 The Parties undertake:



a not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language; or

b not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language, and to provide that they can be invoked against interested third parties who are not users of these languages on condition that the contents of the document are made known to them by the person(s) who invoke(s) it; or

c not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.

3 The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

Article 10 – Administrative authorities and public services

1 Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

a i to ensure that the administrative authorities use the regional or minority languages; or

ii to ensure that such of their officers as are in contact with the public use the regional or minority languages in their relations with persons applying to them in these languages; or

iii to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or

iv to ensure that users of regional or minority languages may submit oral or written applications in these languages; or

v to ensure that users of regional or minority languages may validly submit a document in these languages;

b to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;

c to allow the administrative authorities to draft documents in a regional or minority language.

2 In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

a the use of regional or minority languages within the framework of the regional or local authority;

b the possibility for users of regional or minority languages to submit oral or written applications in these languages;

c the publication by regional authorities of their official documents also in the relevant regional or minority languages;

d the publication by local authorities of their official documents also in the relevant regional or minority languages;

e the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

f the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;



g the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

3 With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

- a to ensure that the regional or minority languages are used in the provision of the service; or
- b to allow users of regional or minority languages to submit a request and receive a reply in these languages; or
- c to allow users of regional or minority languages to submit a request in these languages.

4 With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

- a translation or interpretation as may be required;
- b recruitment and, where necessary, training of the officials and other public service employees required;
- c compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.

5 The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

Article 11 – Media

1 The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

- a to the extent that radio and television carry out a public service mission:
 - i to ensure the creation of at least one radio station and one television channel in the regional or minority languages; or
 - ii to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages; or
 - iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;
- b i to encourage and/or facilitate the creation of at least one radio station in the regional or minority languages; or
 - ii o encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;
- c i to encourage and/or facilitate the creation of at least one television channel in the regional or minority languages; or
 - ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;
- d to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;



e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages; or

ii to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;

f i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media; or

ii to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;

g to support the training of journalists and other staff for media using regional or minority languages.

2 The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

3 The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

Article 12 – Cultural activities and facilities

1 With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

a to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;

b to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

c to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

d to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing;

e to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;

f to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;



g to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;

h if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language.

2 In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.

3 The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

Article 13 – Economic and social life

1 With regard to economic and social activities, the Parties undertake, within the whole country:

a to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations;

b to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of regional or minority languages, at least between users of the same language;

c to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;

d to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.

2 With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

a to include in their financial and banking regulations provisions which allow, by means of procedures compatible with commercial practice, the use of regional or minority languages in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;

b in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;

c to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;

d to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;

e to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

Article 14 – Transfrontier exchanges

The Parties undertake:

a to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such



a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;

b for the benefit of regional or minority languages, to facilitate and/ or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.

Part IV – Application of the Charter

Article 15 – Periodical reports

1 The Parties shall present periodically to the Secretary General of the Council of Europe, in a form to be prescribed by the Committee of Ministers, a report on their policy pursued in accordance with Part II of this Charter and on the measures taken in application of those provisions of Part III which they have accepted. The first report shall be presented within the year following the entry into force of the Charter with respect to the Party concerned, the other reports at three-yearly intervals after the first report.

2 The Parties shall make their reports public.

Article 16 – Examination of the reports

1 The reports presented to the Secretary General of the Council of Europe under Article 15 shall be examined by a committee of experts constituted in accordance with Article 17.

2 Bodies or associations legally established in a Party may draw the attention of the committee of experts to matters relating to the undertakings entered into by that Party under Part III of this Charter. After consulting the Party concerned, the committee of experts may take account of this information in the preparation of the report specified in paragraph 3 below. These bodies or associations can furthermore submit statements concerning the policy pursued by a Party in accordance with Part II.

3 On the basis of the reports specified in paragraph 1 and the information mentioned in paragraph 2, the committee of experts shall prepare a report for the Committee of Ministers. This report shall be accompanied by the comments which the Parties have been requested to make and may be made public by the Committee of Ministers.

4 The report specified in paragraph 3 shall contain in particular the proposals of the committee of experts to the Committee of Ministers for the preparation of such recommendations of the latter body to one or more of the Parties as may be required.

5 The Secretary General of the Council of Europe shall make a two-yearly detailed report to the Parliamentary Assembly on the application of the Charter.

Article 17 – Committee of experts

1 The committee of experts shall be composed of one member per Party, appointed by the Committee of Ministers from a list of individuals of the highest integrity and recognised competence in the matters dealt with in the Charter, who shall be nominated by the Party concerned.

2 Members of the committee shall be appointed for a period of six years and shall be eligible for reappointment. A member who is unable to complete a term of office shall be replaced in accordance with the procedure laid down in paragraph 1, and the replacing member shall complete his predecessor's term of office.

3 The committee of experts shall adopt rules of procedure. Its secretarial services shall be provided by the Secretary General of the Council of Europe.

Part V – Final provisions

Article 18



This Charter shall be open for signature by the member States of the Council of Europe. It is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 19

1 This Charter shall enter into force on the first day of the month following the expiration of a period of three months after the date on which five member States of the Council of Europe have expressed their consent to be bound by the Charter in accordance with the provisions of Article 18.

2 In respect of any member State which subsequently expresses its consent to be bound by it, the Charter shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 20

1 After the entry into force of this Charter, the Committee of Ministers of the Council of Europe may invite any State not a member of the Council of Europe to accede to this Charter.

2 In respect of any acceding State, the Charter shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 21

1 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, make one or more reservations to paragraphs 2 to 5 of Article 7 of this Charter. No other reservation may be made.

2 Any Contracting State which has made a reservation under the preceding paragraph may wholly or partly withdraw it by means of a notification addressed to the Secretary General of the Council of Europe. The withdrawal shall take effect on the date of receipt of such notification by the Secretary General.

Article 22

1 Any Party may at any time denounce this Charter by means of a notification addressed to the Secretary General of the Council of Europe.

2 Such denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 23

The Secretary General of the Council of Europe shall notify the member States of the Council and any State which has acceded to this Charter of:

- a any signature;
- b the deposit of any instrument of ratification, acceptance, approval or accession;
- c any date of entry into force of this Charter in accordance with Articles 19 and 20;
- d any notification received in application of the provisions of Article 3, paragraph 2;
- e any other act, notification or communication relating to this Charter.

In witness whereof the undersigned, being duly authorised thereto, have signed this Charter.

Done at Strasbourg, this 5th day of November 1992, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each Member State of the Council of Europe and to any State invited to accede to this Charter.



GENERAL RESOURCES

High Commissioner on National Minorities. Key resources on minority and majority languages available at: <http://www.osce.org/hcnm/107883>

Council of Europe's Human Rights Convention (1950), available at: http://www.echr.coe.int/Documents/Convention_ENG.pdf

EU Charter on Fundamental Rights (2000), available at: http://www.europarl.europa.eu/charter/pdf/text_en.pdf

The Framework Convention for the Protection of National Minorities (FCNM), country-specific monitoring reports and opinions available at: <http://www.coe.int/en/web/minorities/country-specific-monitoring>

The European Charter for Regional or Minority Languages (ECRML) country reports and recommendations available at: http://www.coe.int/t/dg4/education/minlang/Report/default_en.asp

The European Charter for Regional or Minority Languages (ECRML) Language Guides. Guides available at: <http://www.ecmi.de/information-services/ecrml-language-guides/>¹⁰¹

The Oslo Recommendations regarding the Linguistic Rights of National Minorities. Full text available at: <http://www.osce.org/hcnm/67531>

United Nations Covenant on Civil and Political Rights (1966), available at: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Full text available at: <http://www.un.org/documents/ga/res/47/a47r135.htm>

¹⁰¹ The Language Guides are available for Arabic, Armenian, Bosnian, Catalan, Croat, Czech, Finnish, Georgian, German, Italian, Moldovan, Polish, Romani, Romanian, Russian, Swedish and Valencian



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