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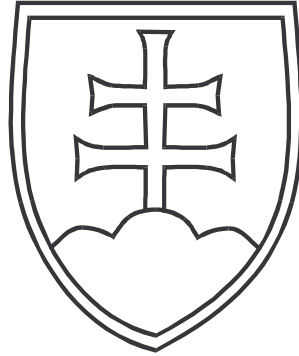
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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

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

**SLOVAK REPUBLIC**



*Second Report on the Implementation of the European Charter for Regional  
or Minority Languages in the Slovak Republic*

**Bratislava 2008**

The European Charter for Regional or Minority Languages (hereinafter referred to as „the Charter”) was signed in the name of the Slovak Republic on 20 February 2001 in Strasbourg. The National Council of the Slovak Republic approved the Charter by its Resolution No. 1497 of 19 June 2001. The President of the Slovak Republic ratified the Charter on 20 July 2001, and the instrument of ratification was deposited and registered with the depositary, the Secretary General of the Council of Europe, on 5 September 2001. The Charter entered into force with regard to the Slovak Republic on 1 January 2002 in accordance with Article 19 para. 2 of the Charter. The text of the Charter was published in the Collection of Laws under No. 588/2001.

At the time of deposit of the instrument of ratification, the Slovak Republic made the following declaration:

*1. The Slovak Republic declares that it shall implement the adopted Charter in conformity with the Constitution of the Slovak Republic and relevant international instruments which guarantee that citizens are equal without difference of origin, race, religion or nationality, with a view to promoting the European linguistic heritage without prejudice to the use of the state language.*

*2. The Slovak Republic declares, pursuant to Article 1, paragraph b, of the Charter, that the term “territory in which the regional or minority language is used”, also regarding the application of Article 10, shall refer to the municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20 % of the population, according to the Ordinance of the Government of the Slovak Republic No. 221/1999 Coll., dated 25 August 1999.*

*3. “Regional or minority languages” pursuant to Article 3 para. 1 of the Charter in the Slovak Republic are: Bulgarian, Czech, Croatian, Hungarian, German, Polish, Roma, Ruthenian and Ukrainian languages; application of the provisions of the Charter within the meaning of Article 2 para. 2 with regard to*

***Bulgarian, Czech, Croatian, German, Polish and Roma languages:***

*Article 8 para. 1 (a) iii; (b) iii; (c) iii; (d) iii; (e) ii; (f) ii; (g); (h); (i);*

*Article 9 para. 1 (a) ii and iii; (b) ii and iii; (c) ii and iii, (d);*

*Article 10 para. 1 (a) iii and iv; para. 2 (b), (c), (d), (f), (g), para. 3 (c), para. 4 (a), (c), para. 5;*

*Article 11 para. 1 (a) iii; (b) ii; (c) ii; (d); (e) i, (f) ii, para. 2 and 3*

*Article 12 para. 1 (a); (b); (c); (d); (e); (f); (g); para. 2 and 3;*

*Article 13 para. 1 (a); (b); (c); para. 2 (c);*

*Article 14 (a);*

*Article 14 (b) only for the Czech, German and Polish languages;*

***Ruthenian and Ukrainian languages:***

*Article 8 para. 1 (a) ii; (b) ii; (c) ii; (d) ii; (e) ii; (f) ii; (g); (h); (i);*

*Article 9 para. 1 (a) ii and iii; (b) ii and iii; (c) ii and iii; (d), para. 3;*

*Article 10 para. 1 (a) iii and iv; para. 2 (b), (c), (d), (f), (g), para. 3 (c), para. 4 (a), (c), para. 5;*

*Article 11 para. 1 (a) iii; (b) ii; (c) ii; (d); (e) i; (f) ii; para. 2 and 3*

*Article 12 para. 1 (a); (b); (c); (d); (e); (f); (g); para. 2 and 3;*

*Article 13 para. 1 (a); (b); (c); para. 2 (c);*

Article 14 (a);  
Article 14 (b) only for the Ukrainian language;

**Hungarian language:**

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

4. The Slovak Republic declares that Article 8 para. 1 (e) i applies to the training of teachers, theologians, cultural and adult education workers without prejudice to the teaching in the state language, i.e. that most subjects, including core subjects, shall be taught in a minority language respecting the legal norms of the Slovak Republic in the area of higher education.

5. The Slovak Republic declares that Article 10 para. 1 (a) ii, Article 10 para. 2 (a) and Article 10 para. 3 (b) shall be interpreted without prejudice to the use of the state language according to the Constitution of the Slovak Republic and in harmony with the legal system of the Slovak Republic.

6. The Slovak Republic declares that Article 12 para. 1 (e) and Article 13 para. 2 (c) shall be applied except where the effects of their application would be in conflict with other provisions of the legal system of the Slovak Republic concerning the prohibition of discrimination of the citizens of the Slovak Republic in labour relations on the territory of the Slovak Republic.

The Slovak Republic assumed very ambitious commitments, when it chose 49 to 53 provisions (the minimum number being 35) of Part III of the Charter relating to nine minority languages: Bulgarian, Czech, Croatian, Hungarian, German, Polish, Romany, Ruthenian and Ukrainian. From the point of view of applicable provisions, these languages are divided into three groups: 1) Hungarian, 2) Ruthenian and Ukrainian, 3) other languages.

Article 15 para. 1 (Periodical reports) of Part IV of the Charter (Application of the Charter) provides that the Parties have a duty to present the Secretary General of the Council of Europe a report on their policy pursued in accordance with Part II of the Charter, in a form to be prescribed by the Council of Ministers, and on the measures taken in application of those provisions of Part III which they have accepted. The first report must be presented within the year following the entry into force of the Charter with respect to the Party concerned, the other reports at three-year intervals after the first report. The Parties make their reports public in conformity with Article 15 para. 2 of the Charter.

The Slovak Government deliberated on and approved the Initial Report on the Application of the European Charter for Regional or Minority Languages in the Slovak Republic by its Resolution No. 1114 of 26 November 2003. The Report was presented to the Secretary General of the Council of Europe on 5 December 2003. In accordance with Article 16 para. 1 (Examination of the reports), the report was examined by the Committee of Experts, which adopted an evaluation report on the application of the Charter by the Slovak Republic on 23 November 2005. The first monitoring cycle on the application of the Charter by the Slovak

Republic was concluded with the adoption by the Council of Europe's Committee of Ministers of Recommendation RecChL (2007)1 on the Application of the Charter by Slovakia on 21 February 2007 at the 988<sup>th</sup> meeting of Ministers' Deputies. The Recommendation formulates the expectations of the Council of Europe's Committee of Ministers regarding the application of the Charter by the Slovak Republic.

The Slovak Government took note of the Information on the implementation and results of the first monitoring cycle on the application of the European Charter for Regional or Minority Languages by Slovakia at its session of 23 May 2007. The information material included also the Committee of Experts' Report on the Slovak Republic, Slovakia's observations concerning the Committee of Experts' Report on the Application of the European Charter for Regional or Minority Languages by the Slovak Republic, and the Recommendation of the Council of Europe's Committee of Ministers concerning the application of the Charter by Slovakia. The ministries and other relevant authorities responsible for the implementation of undertakings given under the Language Charter were tasked with conducting a detailed analysis and, on its basis, formulating concrete tasks and measures in the light of monitoring conclusions and the commitments taken under the Language Charter.

In the three-year cycle, the second report on the application of the Charter was to be presented by the Slovak Republic in December 2006. Given the very short cycle of monitoring the fulfilment of undertakings given under the Language Charter (every three years), it was decided that the Parties should present any further periodical reports within one year from the adoption of recommendations for the Party by the Council of Europe's Committee of Ministers. This may help prevent problems and often even illogical situations where a Party would have to present information about the progress achieved in the fulfilment of its undertakings while it had not yet received recommendations of the Council of Europe's Committee of Ministers. In the case of the Slovak Republic this means that the report is to be presented within one year from the adoption of recommendations by the Committee of Ministers, i. e. in 2008.

The second report on the application of the Charter by the Slovak Republic was drawn up in conformity with the methodology guideline setting out the outline of follow-up periodical reports submitted by the Parties to the Charter, adopted by the Council of Europe's Committee of Ministers on 7 February 2002 (MIN-LANG (2002)1).

The report was drawn up with due regard to the recommendations of the Council of Europe's Committee of Ministers concerning the application of the Charter by Slovakia and to the evaluation report of the Committee of Experts. The second report on the application of the Charter by the Slovak Republic gives updated and comprehensive information on the status and the situation of regional or minority languages in Slovakia. It focuses mainly on presenting the current situation and on new developments in the legislation and social practice with respect to the protection and promotion of regional or minority languages.

## Introductory part

***1. Please provide the necessary background information, such as the relevant historical developments in the country, an overview of the demographic situation with reference to the basic economic data for the regions, as well as information on the constitutional and administrative structure of the State.***

### Relevant historical developments in the country and an overview of the demographic situation

The Slovak Republic was created on 1 January 1993 on the basis of Constitutional Act No. 542/1992 Coll. of 1 September 1992 on the Dissolution of the Czech and Slovak Federal Republic. The Slovak Republic is a sovereign and democratic state governed by the rule of law. It is not bound by any ideology or religion. The Slovak Republic recognises and respects the general rules of international law, international treaties by which it is bound, and its other international commitments.

The Slovak Republic is a land-locked country in the centre of Europe. Slovakia neighbours with the Czech Republic, Poland, Ukraine, Hungary and Austria. Slovakia is a country with a Christian tradition, the majority of whose inhabitants (68.9 %) declare to belong to the Roman Catholic Church.

An exceptional attention was devoted at the time of establishment of the Slovak Republic to ensuring the continuity and stability of the legal system, considered to be the basic precondition for stable state institutions and respect for human rights. Constitutional laws, other laws and generally legally-binding regulations thus remained in force even after the dissolution of the Czech and Slovak Federal Republic insofar as they were not in conflict with the Constitution of the Slovak Republic (Article 152 para. 1 of the Constitution). The legal system of the Slovak Republic enshrines all fundamental standards guaranteeing democracy, rule of law, human rights and freedoms, including international treaties to which the Czech and Slovak Federal Republic was a Party at the time of its dissolution.

The Slovak Republic is a Party to all key human rights instruments adopted within both, the United Nations system and the Council of Europe system.

The geographical location and history of Slovakia have had a significant impact on the ethnic structure of its population. Due to a variety of historical reasons, Slovakia's population structure displays the highest share of national minorities and ethnic groups of all central European countries. An approximately 14.2 % share of its population declare to be of other than Slovak nationality and identify themselves with a minority belonging to Western Slavic, Easter Slavic, Southern Slavic, Finno-Ugric or German, and also New Indian or Semitic groups of nations. These minorities usually display distinctly specific linguistic and cultural characteristics that must be duly respected. The multiethnic composition of the population of Slovakia is the result of complicated state-forming and political processes which marked the history of the region and of certain migration processes of the distant and a more recent past.

According to data from the population census held on 26 May 2001, 764,601 inhabitants of Slovakia declared to be of other than Slovak nationality (number of all inhabitants of Slovakia – 5 379 455). The most widely represented in the ethnic structure of Slovakia are 12 national minorities. Each of these minorities is separately reported in the statistics, has at least one minority cultural organisation and, as a rule, applies for financial support for its minority

culture.

**Basic statistics derived from the 2001 population census in the Slovak Republic:**

Population – total	5,379,455 of which: women 2,766,940 men 2,612,515
Population density	110 inhabitants/km <sup>2</sup>
Ethnic composition	85.8 % Slovak 9.7 % Hungarian 1.7 % Roma 0.8 % Czech 0.4 % Ruthenian 0.2 % Ukrainian 0.1 % German 0.05% Polish 0.04 % Moravian 0.03% Russian 0.02 % Croatian 0.02 % Bulgarian 0.01% Serbian 0.004 % Jewish 0.1 % Other 1.1 % Non-specified
Religion/Church	68.9 % Roman Catholic Church 6.9 % Evangelical Church of the Augsburg Confession 4.1 % Byzantine Catholic Church 2.0 % Reformed Christian Church 0.9 % Orthodox Church 3 % Other non-specified 1.2% Other churches and religious societies 13.0 % Without confession
Age structure of the population	18.9 % Pre-productive age 63.1 % Productive age 18.0 % Post-productive age
Urban population	56.1 %
Rural population	43.9 %

Basic economic data

The economy of the Slovak Republic is based on the principles of socially and environmentally oriented market economy (Article 55 of the Constitution of the Slovak Republic). Since 2000, Slovakia's economic performance has followed a steady and accelerating course; with its annual growth rates exceeding 8% and 9% in 2006 and 2007, respectively, Slovakia clearly belongs among the countries with the highest growth indices. Its economic performance has received a significant boost from the activities of foreign investors and, as regards its sectoral structure, it has been fuelled mainly by the growing automotive industry and the production of electrical machinery and equipment, chemicals and crude oil products, and by booming construction and trade. The key fiscal goal is to reduce the general government deficit, including pension reform costs, below 3% of the GDP in order to fulfil the criterion for entering the Euro area in 2009.

The gross domestic product in 2007 was SKK 1,851,787 million. The registered unemployment rate at end of 2007 was 8%. Disposable income and, consequently, the overall standard of living of the population are on the rise. Economic boom brings job creation on the one hand, while productivity growth creates favourable conditions for wage growth on the other hand. The evolution of selected indicators in individual regions of Slovakia indicates a clear tendency towards reduction of regional disparities.

### The constitutional system

The Constitution of the Slovak Republic stipulates that the State power derives from the citizens who exercise it through their elected representatives or directly. Everyone may do what is not forbidden by a law and no one may be forced to do what the law does not enjoin.

The legislative branch is represented by the National Council of the Slovak Republic (hereinafter referred to as “the Parliament”), which is the sole constitutional and legislative body of the Slovak Republic. It consists of 150 Members of Parliament elected for a four-year period. Members of Parliament are representatives of the citizens. They exercise their mandates individually and according to their best conscience and conviction and are not bound by any orders. Members of Parliament are elected in universal, equal and direct suffrage by secret ballot.

Members of Parliament work in a number of committees. The committee responsible for observance of human rights in the National Council of the Slovak Republic is the Committee on Human Rights, National Minorities and the Status of Women.

The executive branch is represented by the President and the government. At the head of the Slovak Republic is the President. The President represents Slovakia externally and internally and ensures the proper functioning of constitutional bodies through his/her decisions. The President is elected by the citizens of the Slovak Republic by secret ballot for a five-year term in direct elections. The supreme executive body is the Government of the Slovak Republic. It consists of the Prime Minister, Deputy Prime Ministers and Ministers. The Government is accountable for the exercise of its office to the Parliament, which may lodge a no-confidence motion against the government. The present Slovak Government has 4 Deputy Prime Ministers, namely the Deputy Prime Minister for Knowledge-Based Society, European Affairs, Human Rights and Minorities; the Deputy Prime Minister/Minister of the Interior; the Deputy Prime Minister/Minister of Justice; and the Deputy Prime Minister/Minister of Education. The Government is a collective body.

Judicial power is exercised by independent and impartial courts. The judiciary at all levels performs administration of justice independently of other state bodies. The system of courts consists of the Supreme Court of the Slovak Republic and other courts (54 district courts, 8 regional courts, the Special Court, 3 military circuit courts, and the Higher Military Court). Courts hear and decide civil and criminal matters. They also review the legality of the decisions taken by public administration authorities, and the legality of the decisions, measures or other actions taken by the bodies of public power where so provided by law. Courts take decisions in panels of judges, unless the law calls for a single judge. Judges perform their office as their profession. A judge may not be a member of any political party or a political movement. Judges are appointed and recalled by the President of the Slovak Republic on a proposal from the Judiciary Council of the Slovak Republic (an independent self-administration body). Judges are appointed for unlimited time period.



The Constitutional Court is the judicial body responsible for the protection of constitutionality. It is composed of 13 judges appointed by the President of the Slovak Republic for a twelve-year term on a proposal from Parliament. A judge of the Constitutional Court of the Slovak Republic may neither be a member of any political party nor a political movement. Judges of the Constitutional Court perform their office as their profession. The Constitutional Court also hears and decides competence disputes between central state administration authorities unless the law provides that they are to be decided by other state authorities, complaints lodged by natural persons or legal persons alleging violations of fundamental rights or freedoms or of human rights and fundamental freedoms arising from an international instrument ratified by the Slovak Republic and promulgated in a manner laid down by law unless the protection of these rights falls under the jurisdiction of other courts. The Constitutional Court also interprets the Constitution and constitutional laws in controversial matters.

To complete the picture, we also present information about the Public Defender of Rights. The Slovak Republic introduced the institution of the public defender of rights – the Ombudsman – into its legal system in 2001. The Public Defender of Rights is the constitutional body whose status and activities are defined in Article 151a of the Constitution of the Slovak Republic. The extent and the mode of participation of the Public Defender of Rights as an independent body in the protection of fundamental rights and freedoms, detailed provisions on his/her election, recall and scope of competence, terms and conditions of office, ways of legal protection and exercise of rights of natural and legal persons are laid down in Act No. 564/2001 Coll. on the Public Defender of Rights as amended. The Act on the Public Defender of Rights also provides for the establishment of the Office of the Public Defender of Rights with seat in Bratislava, responsible for creating professional, organisational and technical conditions for the work of the Public Defender of Rights. The Office launched its activities in May 2002.

The establishment of the Office of the Public Defender of Rights completed the existing system of law protection bodies. The role of the Public Defender of Rights as an intermediary between the citizen and the state is to perform control activities with the aim of strengthening the constitutionality and legality of actions and decisions of public administration bodies and institutions vis-à-vis natural and legal persons. The authority of the Public Defender of Rights is not derived from the state power; instead, it is drawn from his/her natural alliance with Parliament and the public, with the citizens who represent the authentic source of power in the society. Thus, the Public Defender of Rights gives no orders and cannot repeal or revoke decisions, but can recommend measures for the good and benefit of the citizen. The institution of the Public Defender of Rights in the legal system of the Slovak Republic may be characterised as a *sui generis* control body vis-à-vis public administration authorities, fulfilling its duties in compliance not only with the legal system of the Slovak Republic, but also with moral and ethical principles. The scope of competence of the Public Defender of Rights has been conceived with a view to the protection of subjective rights – fundamental rights and freedoms – rather than the protection of constitutionality as such.

### **Territorial and administrative organisation**

The territory of the Slovak Republic is integral and indivisible (Article 3 of the Constitution). For public administration purposes, it is organised into territorial and administrative units. As far as the relationship between state administration and self-government bodies is concerned,

a so-called split model was introduced in Slovakia in 1990 (state administration – self-government bodies).

Territorial units are municipalities and higher territorial units – self-governing regions – whose territorial area is identical with that of administrative regions. Basic elements of local and regional self-government according to the Constitution are municipalities. The Constitution also lays down the basic principles governing both tiers of self-government – they are independent self-government and administrative territorial units with legal personality, their own assets and financial resources; they may be imposed obligations only by law and have their own elected bodies (mayors, local councils/chairmen of higher territorial units, regional parliaments); they may be delegated the power to perform certain state administration tasks under conditions stipulated in the Constitution and in other laws. No tier of self-government is superior or subordinated to the other one.

In terms of its territorial administration, the Slovak Republic consists of eight regions (higher territorial units – Bratislava, Trnava, Trenčín, Nitra, Žilina, Banská Bystrica, Prešov, Košice) and 2,887 municipalities. Regional self-government was created with effect from 1 January 2002. Both tiers of self-government have their elected representatives, specific tasks and responsibilities.

Municipalities exercise their self-governing (original) powers and, in certain selected areas, also devolved powers of state administration where this is more advantageous for the state. The latter powers include register offices, building code matters, and certain powers in the area of education. Municipalities perform these tasks on behalf of the state, which maintains its responsibility for the management and quality of services provided and for financing these tasks. As regards the original (self-governing) powers of municipalities, these extend for instance over preschool and school establishments, social welfare facilities, polyclinics, certain hospitals, culture. Municipalities finance their expenditures both from their own revenues and from state subsidies. The law stipulates which types of taxes and charges constitute revenues for municipalities. A new system of financing the execution of delegated state administration in education by self-government bodies was introduced from 1 January 2004. Municipalities, which are the founders of primary schools, are allocated financial resources on the basis of pre-established normatives per 1 pupil depending on the kind, type, and size of school, and on the temperature zone.

Higher territorial units exercise their self-governing (original) powers and perform also certain devolved state administration tasks. The original powers of higher territorial units are exercised, for instance, in the following areas: regional development, secondary schools, hospitals, certain social services establishments (retirement homes, social services for children, crisis centres, foster homes), cultural facilities (art galleries, museums, theatres, certain libraries). Like municipalities, higher territorial units finance their activities mainly from their own revenues and from state subsidies. The law stipulates which types of taxes and fees constitute the source of revenues for higher territorial units. During the power-devolution period in 2002 and 2003, higher territorial units were receiving dedicated (decentralisation) subsidies to finance the exercise of their self-governing powers. From 1 January 2004 onwards, dedicated subsidies were changed to global subsidies, i. e. higher territorial units have the right to determine the purpose of funds transferred from the state budget by approving their own budgets. The tasks they perform on behalf of the state continue to be financed from dedicated subsidies. 1 January 2004 was also the date of introduction of a new financing system in education. As founders of secondary schools, higher territorial units

receive funding on the basis of pre-established normatives per 1 student whose level depends on the kind and type of school.

Since 1 January 2004, state administration is executed mainly at the central level. Lower tiers of central state administration are organised at the regional level. The number and the boundaries of state administration units (regions) are identical with those of self-governing higher territorial units (a symmetrical arrangement). When necessary, regional state authorities may set up other offices and departments in their respective region. A new system of specialised state administration consisting of regional authorities and local authorities (46 and 50, respectively) replaced 79 district authorities as the lowest tier of local state administration with effect from 1 January 2004. The previously uniform general state administration was thus replaced by specialised state administrations falling under the competence of individual sectors.

Regional offices, i. e. the second-instance local state administration authorities falling under the competence of the Ministry of the Interior, were abolished with effect from 1 October 2007 by Act No. 254/2007 Coll. on the Abolition of Regional Offices and on amending and supplementing Act No. 515/2003 Coll. on Regional Offices and Local Offices and on amending and supplementing certain other acts in the wording of Finding No. 263/2006 Coll. of the Constitutional Court of the Slovak Republic. Their powers were transferred to local offices based in regional capitals and to the Ministry of the Interior. Under the aforesaid law, 50 local offices remained within the sector of the Interior Ministry as the first-instance local state administration authorities.

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

Within the meaning of the declaration made by the Slovak Republic at the time of deposit of its instrument of ratification of the Charter, there are following regional or minority languages in the Slovak Republic according to Article 3 para. 1: Bulgarian, Czech, Croatian, Hungarian, German, Polish, Romany, Ruthenian and Ukrainian.

At the time of deposit of its instrument of ratification, the Slovak Republic made a declaration whereby, pursuant to Article 1 paragraph b) of the Charter, that the term "territory in which the regional or minority language is used", also regarding the application of Article 10, shall refer to the municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20 % of the population, according to the Ordinance of the Government of the Slovak Republic No. 221/1999 Coll., dated 25 August 1999." The total number of such municipalities is 655.

**Overview of municipalities according to Ordinance No. 221/1999 Coll. issuing the list of municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20% of the population**

National minority representing at least 20% of the population of the municipality	The number of municipalities according to Ordinance No. 221/1999 Coll.
Hungarian	511
Roma	57
Ukrainian	18
Ruthenian	68
German	1
<b>Total:</b>	<b>655</b>

The largest share of the population of Hungarian nationality – 27.6 % – lives in the Nitra Region (almost 200 thousand inhabitants declared to be of Hungarian nationality). The region with the next largest share of ethnic Hungarians is the Trnava Region with 23.7%. By contrast, the lowest number of persons of Hungarian nationality lives in the regions with a high proportion of ethnic Slovak population, i. e. the regions of Trenčín (0.2%) and Žilina (0.1%). Their share of 0.1% is also low in the Prešov Region which, however, has a higher representation of other national minorities (especially Roma, Ruthenian and Ukrainian).

The number of persons who declared to belong to other nationalities is less than 100,000. The number of persons who declared affiliation with the Roma national minority is the closest to this figure (although the estimate gives a much higher number of the Roma living in the Slovak Republic – at around 320,000). The Roma population is concentrated mainly in the eastern regions of Slovakia – Prešov (4%) and Košice (3.9%) – with the combined population of 61.5 thousand members of this national minority. In relative terms, they represent 68% of all persons who identified themselves as the Roma in the Slovak Republic. One more region reports a higher than average proportion of Roma – Banská Bystrica with 2.3%. In the remaining regions, shares of persons of Roma nationality are below average (the lowest being the Bratislava Region with 0.1 %).

The highest number of persons belonging to the Ruthenian and Ukrainian national minorities lives in the Prešov Region (2.7% and 0.9%, respectively). The share of persons belonging to other national minorities is less than 1%.

**Overview of the resident population of the Slovak Republic by nationality – regional percentages**

(Source: the Statistical Office of the Slovak Republic, the 2001 Census of the Population, Houses and Flats)

	Slovak nationality	Hungarian nationality	Roma nationality	Czech nationality	Ruthenian nationality	Ukrainian nationality	Other or non-specified
<b>Bratislava region</b>	546,685 (91.3%)	27,434 (4.6%)	755 (0.1%)	9,591 (1.6%)	526 (0.1%)	542 (0.1%)	13,482 (2.2%)
<b>Trnava region</b>	407,246 (73.9%)	130,740 (23.7%)	3,163 (0.6%)	4,778 (0.9%)	72 (0.0%)	196 (0.0%)	4,808 (0.9%)
<b>Trenčín region</b>	589,344 (97.3%)	1,058 (0.2%)	1,547 (0.3%)	6,319 (1.0%)	87 (0.0%)	214 (0.0%)	7,013 (1.1%)

<b>Nitra Region</b>	499,761 (70.1%)	196,609 (27.6%)	4,741 (0.7%)	4,526 (0.6%)	85 (0.00)	275 (0.0)	7,425 (1.0%)
<b>Žilina region</b>	674,766 (97.5%)	660 (0.1%)	2,795 (0.4%)	6,123 (0.9%)	129 (0.0%)	223 (0.0%)	7,636 (1.1%)
<b>Banská Bystrica region</b>	553,865 (83.7%)	77,795 (11.7%)	15,463 (2.3%)	4,560 (0.7%)	148 (0.0%)	553 (0.1%)	9,737 (1.5%)
<b>Prešov region</b>	716,441 (90.7%)	817 (0.1%)	31,653 (4.0%)	3,774 (0.5%)	21,150 (2.7%)	6,781 (0.9%)	9,352 (1.1%)
<b>Košice region.</b>	626,746 (81.8%)	85,415 (11.2%)	29,803 (3.9%)	4,949 (0.6%)	2,004 (0.3%)	2,030 (0.3%)	15,065 (1.9%)

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

According to the declaration of the Slovak Republic made at the time of deposit of its instrument of ratification of the Charter, “regional or minority languages” in the Slovak Republic within the meaning of Article 3 para. 1 are: Bulgarian, Czech, Croatian, German, Hungarian, Polish, Romany, Ruthenian and Ukrainian.

Based on the results of the May 2001 population census, the number of persons who declared to be of other than Slovak nationality was 764,601 out of a total of 5,379,455 inhabitants, i. e. close to 14.2 %.

The most numerous national minority in Slovakia is the Hungarian minority – 520,528 inhabitants of the Slovak Republic (9.7 %) identified themselves as belonging to this minority.

The second most numerous national minority in the Slovak Republic are the Roma – 89,920 persons who identified themselves as belonging to this minority represent a 1.7 share of the total population. More realistic expert estimates give their number at 320,000. This latter figure was confirmed also by the sociographic mapping of Roma settlements carried out with Slovak government's support and concluded in 2004; its findings are used to improve the targeting of policy concepts and programmes on members of the Roma minority. Persons belonging to the Roma national minority live dispersed throughout the territory of the Slovak Republic. The largest concentrations of persons belonging to the Roma national minority live in eastern Slovakia and in the south of central Slovakia.

They are followed by persons belonging to the Czech (44,620), Ruthenian (24,201), Ukrainian (10,814) and German (5,405) national minorities. Ruthenians and Ukrainians live in the east, Poles in the north, Germans in the Spiš region and in historical mining towns, Czechs in the border areas in western Slovakia.

Due to differences in the methods used to establish nationality in the various censuses, the nationality was not defined in a uniform manner, which prevents a transparent comparison of the results of individual censuses. In post-war censuses held before the year 1991, the nationality was ascertained on a declaratory basis; however, respondents were allowed to identify themselves with only one of officially recognised nationalities which did not include, e. g., the Roma nationality. The data obtained in population censuses of 1970s and 1980s were therefore not comparable with the data collected in the two latest censuses. Most people declare their nationality on the basis of their ethnicity with the exception of Roma who often declare to be of other than Roma nationality.

In the 2001 census, the nationality of a person was defined as his/her affiliation with a nation or with a national or ethnic minority. The deciding criterion for the determination of nationality is not the mother tongue that the individual uses most often or has the best command of, but the individual's own decision on belonging to a nation or to a national or ethnic minority. The nationality of children under 15 years of age was determined on the basis of the nationality of their parents. Where parents reported belonging to different nationalities, the child's nationality was determined as that of one of its parents (by mutual agreement of the parents).

The table below gives the breakdown of persons by nationality they reported in the 1980, 1991 and 2001 population censuses. We point out that the 1980 and 1991 population censuses were held still in the context of the Czechoslovak federation.

**The numbers of persons broken down by nationality reported in the 1980, 1991 and 2001 population censuses (Source: the Statistical Office of the Slovak Republic)**

<b>Origin</b>	<b>Year 1980</b>		<b>Year 1991</b>		<b>Year 2001</b>	
Slovak	4,317,008	86.5%	4,519,328	85.7%	4,614,854	85.8%
Hungarian	559,490	11.2%	567,296	10.8%	520,528	9.7%
Roma	-	-	75,802	1.4%	89,920	1.7%
Czech	57,197	1.1%	52,884	1.0%	44,620	0.8%
Ruthenian	-	-	17,197	0.3%	24,201	0.4%
Ukrainian	36,850	0.7%	13,281	0.3%	10,814	0.2%
German	2,918	0.1%	5,414	0.1%	5,405	0.1%
Moravian	-	-	6,442	0.1%	2,348	0.05%
Croatian	-	-	-	-	890	0.02%
Polish	2,053	0.04%	2,659	0.05%	2,602	0.06%
Bulgarian	-	-	1,400	0.02%	1,179	0.02%
Jewish	-	-	134	0.002%	218	0.004%
Russian	-	-	-	-	1,590	0.03%
Serbian	-	-	-	-	434	0.01%
Other	2,898	0.1%	3,476	0.06%	5,350	0.1%
Non-specified	10,344	0.2%	8,782	0.16%	56,526	1.1%
<b>Total:</b>	<b>4,991,168</b>	<b>100%</b>	<b>5,274,335</b>	<b>100%</b>	<b>5,379,455</b>	<b>100%</b>

Besides the data on nationality, the 2001 census ascertained also the data on mother tongues. The mother tongue was defined as the language used most often by parents when speaking with the respondent in childhood. Where parents spoke different languages, the reported language was the one used by the mother when speaking with the child. Mother tongue data were not necessarily identical with nationality data. As these data were collected on a declaratory basis, this indicator is affected by individuals' subjective opinions and convictions. The structure of the population by mother tongue is very similar to but not identical with the structure by nationality. This is also witnessed by the fact that some 100 thousand persons who declared to be of Slovak nationality reported another than the Slovak mother tongue.

It follows from the declaration of the Slovak Republic made at the time of signature of the Charter, according to which the term "territory in which the regional or minority language is used", also regarding the application of Article 10, refers to the municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20 % of the

population, according to the Ordinance of the Government of the Slovak Republic No. 221/1999 Coll. dated 25 August 1999, that the data relevant for the application of the provisions of the Charter are the data concerning the nationality rather than the data concerning the mother tongue. To give a complete picture, we present an overview of the resident population broken down by nationality and mother tongue, based on the data of the 2001 census of the population, houses, and flats:

**The overview of the resident population by nationality and mother tongue, based on the data of the 2001 census of the population, houses, and flats:**

(Source: the Statistical Office of the Slovak Republic)

Nationality /mother tongue	Slovak	Hungarian	Roma	Ruthenian	Ukrainian	Czech	German	Polish	Croatian	Serbian	Other
Slovak	4,466,683	9,16	20,483	1,178	1,128	6,791	1,471	274	108	65	1,585
Hungarian	55,236	507,220	8,869	37	82	424	153	12	13	5	149
Romany	37,803	2,018	59,174	17	19	89	1	0	0	0	14
Ruthenian	28,885	15	40	22,751	2,996	45	0	2	0	1	39
Ukrainian	1,342	36	4	83	6,340	18	2	8	0	0	21
Czech	8,199	314	78	38	34	36,651	350	21	2	3	2,023
German	2,616	125	4	0	3	71	3,625	3	15	0	146
Polish	424	11	0	3	5	11	1	2,248	0	0	11
Croatian	200	11	0	0	0	4	2	0	730	17	16
Serbian	39	1	0	0	0	1	0	0	3	330	30
Other	680	29	6	11	103	28	9	4	9	6	6,342
Non-specified	13,047	1,332	1,262	83	104	487	91	30	10	7	209
<b>Total</b>	<b>4,614,854</b>	<b>520,528</b>	<b>89,920</b>	<b>24,201</b>	<b>10,814</b>	<b>44,620</b>	<b>5,405</b>	<b>2,602</b>	<b>890</b>	<b>434</b>	<b>10,685</b>

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

The legal system of the Slovak Republic does not contain provisions on territorial and non-territorial languages. The decisive criterion is the determination of minority languages and of the number of inhabitants of a municipality who speak a minority language (see above).

The language that can be considered as non-territorial under certain circumstances is Yiddish. The representatives of the Jewish community in Slovakia who could be expected to speak Yiddish and Hebrew stated that these languages are used primarily in liturgical rites and, to a limited extent, in family life. Official figures from the latest 2001 population census give the number of persons declaring to be of Jewish nationality at 218 (0.004%); however, more than 2000 persons are registered in 13 Jewish religious communities. The Central Union of Jewish Religious Communities in the Slovak Republic is the umbrella organisation that registers 13 Jewish religious communities and another 15 locations, some of whose inhabitants practice Jewish religion. The Jewish minority, like other national minorities, has one representative in the Council of the Government of the Slovak Republic for National Minorities and Ethnic Groups (hereinafter referred to as the "Government Council for National Minorities and Ethnic Groups).

**5. Please provide recent general statements on the policy of your State concerning the protection of regional or minority languages where it may be of use to supplement the above four points.**

The key document underpinning the promotion and protection of minority languages is the 2006 Policy Statement of the Government of the Slovak Republic, which stipulates:

“The Government guarantees all citizens – regardless of their sex, race, skin colour, language, religion or belief, political or other convictions, ethnic or social origin, property, gender or any other status – that it shall respect all fundamental human rights and freedoms. Among these rights and freedoms is also the right of a person, a citizen, to decide freely about his/her ethnic identity.

The Government, in the interest of promoting the multiethnic and multicultural character of the society of citizens of the Slovak Republic, will fight against all forms of racial, ethnic, religious or political hatred. The Government undertakes to wage a permanent struggle against discrimination, racism, anti-Semitism, xenophobia, extreme nationalism and chauvinism, and for the promotion of truth about the Holocaust.

The Government shall proceed in its relations with national minorities in the spirit of the approved wording of the European Charter for Regional or Minority Languages. The Slovak Government shall prepare a draft law on the financing of culture and, in its framework, the financing of minority cultures, and it shall create conditions for the establishment of the Office for Minorities in the Slovak Republic. The Government continues to view the resolution of Roma problems as its priority and, to this end, will support all development programmes aimed at improving the life of the Roma community and its integration into society.

The Government shall improve conditions for the minority education system, mainly as regards instruction in mother tongues of all national minorities in compliance with the European Charter for Regional or Minority Languages.

The Government will provide for the support of culture of national minorities and ethnic groups and of disadvantaged groups of population through a system of grants.”

As foreseen in the Policy Statement of the Government of the Slovak Republic, the Plan of Legislative Tasks of the Government of the Slovak Republic and the Activity Plan of the Government of the Slovak Republic, the following policy concepts and legislative texts with relevance for the selected provisions of the Charter are at the drafting stage:

- Act on Education and Instruction and on amending and supplementing certain other acts (the School Act) – approved by Slovak Government’s Resolution No. 147/2008 of 5 March 2008
- Act on the Financing of Culture (which will also include the financing of culture of persons belonging to national minorities and ethnic groups)
- Act amending and supplementing Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on the Protection from Discrimination, and on amending and supplementing certain other acts (the Anti-Discrimination Act) as amended, and on amending and supplementing Act No. 308/1993 Coll. on the Establishment of the Slovak National Centre for Human Rights as amended – the amendment of the Anti-discrimination Act was approved by Parliament on 14 February 2008
- The Concept of Assistance to Marginalised Roma Communities in Slovakia Using Structural Funds and the Cohesion Fund in 2007–2013;
- The Report on the Implementation of the Roma Inclusion Decade 2005–2015;
- The Medium-Term Concept of the Development of Roma National Minority in the Slovak Republic, 2008–2013, approved on 26 March 2008
- The National Action Plan for Children.



## PART I

1. *Please state the main legal act(s) and/or provisions that you consider essential for the implementation of the European Charter for Regional or Minority Languages in your country. Please provide:*
  - *copies of those acts and/or provisions, in English or French, should your country not have done so in relation to the initial periodical report;*
  - *details and copies of new legislation or policy documents with relevance to the regional or minority languages;*
  - *details of case law or other legal or administrative developments in this field.*

National legislative provisions and strategy and policy documents that are of relevance for the use of national minority languages or foreign languages, the use of foreign names and surnames and the names of municipalities, streets and other public places include, in particular:

### A) Constitutional law

1. Constitutional Act No. 23/1991 Coll. introducing the Bill of Fundamental Rights and Freedoms (notably Articles 25, and 27)
2. Constitution of the Slovak Republic No. 460/1992 Coll. as amended (hereinafter referred to as the “Constitution”), in particular Article 6, Article 34 para. 1 and 2, Article 47 para. 4)
3. the linguistic aspect of the exercise of fundamental rights and freedoms – PL. ÚS 8/96 (Collection of the Findings and Resolutions of the Constitutional Court of the Slovak Republic No. 14/97)

### B) Education

1. Act No. 29/1984 Coll. on the system of primary and secondary schools (the School Act) as amended
2. Act No. 542/1990 Coll. on state administration in the education sector and school self-government and on amending and supplementing certain other acts as amended
3. Act No. 597/2003 Coll. on the financing of primary schools, secondary schools and educational facilities as amended
4. Ministry of Education Decree No. 343/2006 Coll. amending and supplementing Ministry of Education Decree No. 311 on granting scholarships to students of secondary schools and special schools
5. Ministry of Education Decree No. 453/2005 Coll. on the scope and other details of awarding motivational scholarships
6. Ministry of Education Decree No. 102/2006 Coll. on granting social scholarships to university students
7. Government Ordinance No. 2/2004 Coll. setting out the details of the breakdown of state budget allocations for primary schools, secondary schools, practical training centres, primary schools of art, and educational facilities as amended
8. Government Ordinance No. 238/2004 Coll. on the scope of teaching and educational responsibilities of pedagogical staff
9. Ministry of Education Guideline No. 11/2006-R of 25 May 2006 amending Guideline No. 7496/1985-20 of the Ministry of Education of the SSR of 5 July 1985 on Primary Schools as amended by Guideline No. 8119/1989-20 of the Ministry of Education,

Youth and Physical Education of the SSR of 28 August 1989 and Guideline No. 1074/2000-41 of the Ministry of Education of the SR of 13 July 2000

10. Guideline No. 19/2006-R of 15 June 2006 setting out the system of the breakdown of funds on wages and social insurance contributions for teachers' assistants to individual regional school offices, and their allocation to the founders of primary schools and special primary schools

#### C) Judiciary

1. Act No. 99/1963 Coll., the Code of Civil Procedure, as amended
2. Act No. 301/2005 Coll., the Code of Criminal Procedure, as amended
3. Act No. 38/1993 Coll. on the organisation of the Constitutional Court of the Slovak Republic, procedure before the Constitutional Court and the status of its judges as amended
4. Act No. 757/2004 Coll. on courts and on amending and supplementing certain other acts
5. Act No. 475/2005 Coll. on enforcement of custodial sentences and on amending and supplementing certain other acts
6. Act No. 221/2006 Coll. on enforcement of remand detention

#### D) State and public administration

1. Act No. 71/1967 Coll. on administrative procedure as amended
2. Act No. 83/1990 Coll. on association of citizens as amended
3. Act No. 84/1990 Coll. on the right of assembly as amended
4. Act No. 85/1990 Coll. on the right of petition as amended
5. Act No. 270/1995 Coll. on the state language as amended
6. Act No. 184/1999 Coll. on the use of languages of national minorities
7. Act No. 312/2001 Coll. on civil service amending certain other acts as amended
8. Act No. 552/2003 Coll. on performing public interest work as amended
9. Act No. 553/2003 Coll. on remuneration of certain workers performing public interest work and on amending and supplementing certain other acts as amended
10. Act No. 300/1993 Coll. on names and surnames as amended
11. Act No. 154/1994 Coll. on register offices as amended
12. Act No. 191/1994 Coll. on the names of municipalities in national minority languages
13. Act No. 152/1998 Coll. on complaints
14. Government Ordinance No. 221/1999 Coll. issuing the list of municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20 % of the population
15. Act No. 211/2000 Coll. on free access to information
16. Act No. 564/2001 Coll. on the Public Defender of Rights as amended.

#### E) Media

1. Act No. 16/2004 Coll. on Slovak Television as amended
2. Act No. 619/2003 Coll. on Slovak Radio as amended
3. Act No. 308/2000 Coll. on broadcasting and retransmission and on amending Act No. 195/2000 Coll. on telecommunications

## F) Cultural, economic and social life

1. Act No. 311/2001 Coll., Labour Code, as amended
2. Act No. 5/2004 Coll. on employment services and on amending and supplementing certain other acts as amended
3. Act No. 124/2006 Coll. on work safety and health and on amending and supplementing certain other acts as amended by Act. 309/2007 Coll.
4. Act No. 384/1997 Coll. on theatres as amended
5. Government Ordinance No. 392/2006 Coll. on minimum safety and health requirements in the use of work equipment
6. Government Ordinance No. 395/2006 Coll. on minimum requirements for the provision and the use of certain personal protective work equipment
7. Act No. 305/2005 Coll. on social and legal protection of children and social guardianship and on amending and supplementing certain other acts
8. Act No. 195/1998 Coll. on social assistance as amended
9. Act No. 250/2007 Coll. on consumer protection and on amending and supplementing Act No. 372/1990 Coll. on infractions as amended
10. Act No. 365/2004 Coll. on equal treatment in certain areas and on the protection against discrimination and on amending and supplementing certain other acts (the Anti-discrimination Act) as amended
11. Act No. 250/2007 Coll. on consumer protection and on amending Act No. 372/1990 Coll. of the Slovak National Council on infractions as amended
12. Government Ordinance No. 117/2002 Coll. on special requirements in respect of safety and health at work in mining and extraction of unlisted minerals
13. Government Ordinance No. 341/2004 Coll. establishing catalogues of working activities in the performance of public interest work and on modifications and supplements thereof as amended by Government Ordinance No. 151/2007 Coll.

To provide a full picture, we specify the international multilateral conventions binding upon the Slovak Republic (besides the European Charter for Regional or Minority Languages). They are:

1. Convention for the Protection of Human Rights and Fundamental Freedoms published in the Collection of Laws under No. 209/1992 Coll. as amended by Protocols Nos. 3, 5 and 8
2. International Convention on the Elimination of All Forms of Racial Discrimination published in the Collection of Laws under No. 95/1974 Coll.
3. International Covenant on Civil and Political Rights published in the Collection of Laws under No. 120/1976 Coll.
4. International Covenant on Economic, Social and Cultural Rights published in the Collection of Laws under No. 120/1976 Coll.
5. Council of Europe Framework Convention for the Protection of National Minorities published in the Collection of Laws under No. 160/1998 Coll.
6. European Outline Convention on Transfrontier Co-operation published in the Collection of Laws under No. 78/2001 Coll.
7. UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

8. Council of Europe Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment as amended by subsequent protocols

Among the strategy and policy documents with relevance for the issues provided for in the European Charter for Regional or Minority Languages we mention, in particular:

1. The Concept of Life-long Learning approved by Government Resolution No. 157/2004 of 25 February 2004
2. The Concept of Integrated Education of Roma Children and Youth, Including the Development of Secondary and Tertiary Education, approved by Government Resolution No. 498 of 26 May 2004
3. The Concept of Pre-school Education in Relation to Preparing Children for Entry to Elementary School, approved by Government Resolution No. 222 of 7 March 2007
4. The Concept of Special Pedagogical Counselling approved by Government Resolution No. 282 of 21 March 2007
5. The Concept of the Pedagogical and Psychological Counselling System and Its Practical Implementation approved by Government Resolution No. 283 of 21 March 2007
6. The Strategy of Life-long Learning and Life-long Counselling approved by Government Resolution No. 382 of 25 April 2007
7. Draft Act on Education and Instruction and on amending and supplementing certain other acts approved by Government Resolution No. 147/2008 of 5 March 2008
8. The Concept of Teaching Foreign Languages at Primary and Secondary Schools approved by Government Resolution No. 767/2007 of 12 September 2007
9. The Concept of Education and Instruction of National Minorities approved by Government Resolution No. 1100/2007 of 19 December 2007
10. The Concept of Integrated Education of Roma Children and Youth, Including the Development of Secondary and Tertiary Education, approved by Government Resolution No. 206/2008 of 2 April 2008

New legislative provisions include, in particular, amendment to Act No. 365/2004 Coll. on equal treatment in certain areas and on the protection against discrimination, and on amending and supplementing certain other acts (the Anti-discrimination Act) as amended, and on amending and supplementing Act No. 308/1993 Coll. on the establishment of the Slovak National Centre for Human Rights as amended which, *inter alia*, extends the protection against discrimination on legally defined grounds, and provides for temporary equalising measures. The provisions of the Act with relevance for the Charter include those on the so-called temporary equalising measures. The concept underpinning this type of measures has been developed in compliance with international legal instruments which constitute an important source of law in the area of discrimination (where temporary equalising measures are considered to be legitimate means to guarantee full and equitable exercise of human rights and fundamental freedoms), and with the Constitution of the Slovak Republic.

A newly drafted law on administrative procedure will, in contrast to the current Administrative Procedure Act No. 71/1967 Coll. as amended, include also provisions on the language of motions. According to the proposal, administrative authorities will have the right to determine that no translation into the state language needs to be attached to a motion written in other than the state language.

***2. Please indicate the bodies or organisations, legally established in your state, which further the protection and development of regional or minority languages. Please, list the names and addresses of such organisations.***

The protection of minority languages makes a part of broader protection afforded to national minorities at different levels in connection with the protection of fundamental human rights and freedoms.

The Slovak Government's advisory and coordination body for minority policy and for the application of the European Charter for Regional or Minority Languages pursuant to Article 7 para. 4 of the Charter is the **Government Council for National Minorities and Ethnic Groups** (hereinafter referred to as „the Council”). All 12 officially recognised minorities (Hungarian, Roma, Ruthenian, Ukrainian, German, Croatian, Czech, Moravian, Polish, Bulgarian, Russian and Jewish) are represented within the Government Council for National Minorities and Ethnic Groups on a parity basis (one representative per minority). National minority representatives are nominated by selected associations, unions and societies. The Council is chaired by the Deputy Prime Minister of the Slovak Republic for Knowledge-Based Society, European Affairs, Human Rights and Minorities. The Council's Vice-Chairman is the Minister of Culture of the Slovak Republic. The Chairman and the Vice-chairman of the Council are appointed and recalled by the government. Only the members of the Council, i.e. its Chairman, Vice-chairman and other members have the right to vote. Also invited to Council meetings are officials from central state administration authorities and experts (one expert each from Hungary and from the Czech Republic) who, however, do not have a vote. The Council may not discuss any issue concerning a specific national minority or ethnic group if the representative of the minority concerned is not present.

According to its Statute, the Council's main scope of activities includes:

- drafting proposals of government measures aimed at the protection and exercise of the rights of persons belonging to national minorities and ethnic groups,
- preparing, discussing and presenting summary reports to the government on the situation and conditions of persons belonging to national minorities and ethnic groups, preservation of their identity, especially the development of their authentic culture and education in their mother tongue, formulating and recommending solutions for the government,
- formulating positions on generally binding legal regulations with implications for citizens belonging to national minorities and ethnic groups prior to submitting them for government deliberations,
- proposing topics for scientific analyses, studies and expert assessments on national minorities and ethnic groups by institutions and experts,
- discussing and proposing re-allocation of financial means earmarked for national minorities and ethnic groups in the state budget act.

At the government level, the issues of national minorities and ethnic groups fall under the competence of the **Deputy Prime Minister of the Slovak Republic for Knowledge-Based Society, European Affairs, Human Rights and Minorities**.

Contact address:

**Office of the Deputy Prime Minister of the Slovak Republic for Knowledge-Based Society, European Affairs, Human Rights and Minorities**

Office of the Government of the Slovak Republic

Námestie slobody 1

813 70 Bratislava

Tel.: +421/2/572 95 318

Fax: +421/2/524 91 647

The issues of protection of minority or regional languages fall under the competence of the following institutions in the Slovak Republic:

**Constitutional Court of the Slovak Republic** (decides on the matters concerning protection of the constitutional rights of citizens including right to use minority language)

Contact address:

Constitutional Court of the Slovak Republic

Hlavná 72

042 65 Košice

Tel: +421/55/7207211, 6227633, 6227732

Fax: +421/55/6227 629

E-mail: [ochodni@concourt.sk](mailto:ochodni@concourt.sk)

[www.concourt.sk](http://www.concourt.sk)

**The Public Defender of Rights** (= Ombudsman, the independent body participating in the protection of fundamental rights and freedoms of natural and legal persons against actions, decisions or inactivity of public administration authorities where these actions, decisions or inactivity violate the legal system or the principles of a democratic state governed by the rule of law).

Contact address:

Public Defender of Rights

P.O. BOX 1

820 04 Bratislava 24

Tel.: +421/2/4828 7239

Fax: +421/2/4828 7203

E-mail: [sekretariat@vop.gov.sk](mailto:sekretariat@vop.gov.sk)

[www.vop.gov.sk](http://www.vop.gov.sk)

**Committee of the National Council of the Slovak Republic on Human Rights, Minorities and the Status of Women** (initiative and control body of the National Council of the Slovak Republic)

Contact address:

Committee on Human Rights, Minorities and the Status of Women

National Council of the Slovak Republic

Mudroňova 1

812 80 Bratislava

Tel.: +421/2/593 41 698, 593 41 699

Fax: +421/2/544 30 681

E-mail: [lpn@nrsrc.sk](mailto:lpn@nrsrc.sk)

[www.nrsrc.sk/main.aspx?sid=vybory/zoznam](http://www.nrsrc.sk/main.aspx?sid=vybory/zoznam)

**The Slovak National Centre for Human Rights** (promotes the development of an effective system for the protection of human rights and civil rights, monitors and evaluates the respect for human rights and for the equal treatment principle, carries out research, educational, and publishing activities, provides legal aid to victims of discrimination and expressions of intolerance, etc.).

Contact address:

The Slovak National Centre for Human Rights

Drotárska cesta 46

811 04 Bratislava

Tel./Fax: +421/2/62804338

e-mail: [lprava@zutom.sk](mailto:lprava@zutom.sk)

[www.snslp.sk](http://www.snslp.sk)

**Directorate for Human Rights and Minorities, Office of the Government of the Slovak Republic**

Contact address:

Office of the Government of the Slovak Republic

Námestie Slobody 1

813 70 Bratislava

Tel.: +421/2/572 95 165

Fax: +421/2/524 91 424

[www.vlada.gov.sk/mensiny](http://www.vlada.gov.sk/mensiny)

**Office of the Plenipotentiary of the Slovak Republic for Roma Communities**

Contact address:

Office of the Plenipotentiary for Roma Communities

Office of the Government of the Slovak Republic

Námestie Slobody 1

813 70 Bratislava

Tel.: +421/2/572 95 833, 572 95 832

Fax: +421/2/572 95 816

<http://romovia.vlada.gov.sk>

E-mail: [Anina.Botosova@vlada.gov.sk](mailto:Anina.Botosova@vlada.gov.sk)

**Directorate for Minority and Regional Cultures, Ministry of Culture of the Slovak Republic**

Contact address:

Directorate Minority and Regional Cultures

Ministry of Culture of the Slovak Republic

Námestie SNP 33

813 31 Bratislava

Tel.: +421/2/59 391 444

Fax: +421/2/59 391 474

[www.culture.gov.sk](http://www.culture.gov.sk)

**Directorate for Regional Education, Ministry of Education of the Slovak Republic**

Contact address:

Directorate for Regional Education  
Ministry of Education of the Slovak Republic  
Stromová 1  
813 30 Bratislava  
Tel.: +421/2/593 74 310  
Fax: + 421/2/593 74 309  
www.minedu.sk

**Department of Foreign Relations and Human Rights, Ministry of Justice of the Slovak Republic**

Contact address:  
Department of Foreign Relations and Human Rights  
Ministry of Justice of the Slovak Republic  
Župné námestie 13  
813 11 Bratislava  
Tel.: +421/2/593 53 187  
Fax: +421/2/593 53 605  
www.justice.gov.sk

**Department of Human Rights and Council of Europe, Ministry of Foreign Affairs of the Slovak Republic**

Contact address:  
Department of Human Rights and Council of Europe  
Ministry of Foreign Affairs of the Slovak Republic  
Hlboká cesta 2  
833 36 Bratislava  
Tel.: +421/2/5978 3731  
Fax: +421/2/5978 3739  
e-mail: olpr@mzv.sk

***3. Please indicate if any body or organisation has been consulted about the preparation of this periodical report or about the implementation of the Recommendations of the Committee of Ministers addressed to your state. In the case of an affirmative answer, indicate which one(s).***

This report was prepared with the participation of relevant central state administration authorities of the Slovak Republic, in particular the Slovak Government Office, the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Justice, the Ministry of Education, the Ministry of Culture, the Ministry of Labour, Social Affairs and Family, the Ministry of Health, the Ministry of Economy, and others. The draft report was submitted for inter-ministerial review. Information about the preparation of the draft report on the application of the Charter by the Slovak Republic was presented also to the Government Council for National Minorities and Ethnic Groups on 28 February 2008. Council members had the possibility to make their comments to the draft in the framework of the inter-ministerial review.

The Slovak Government, committed to ensuring the transparency of the monitoring process at the national level, raising public awareness information of its results, and ensuring implementation of the recommendations of the Council of Europe's Committee of Ministers,



took note of the Information on the implementation and results of the first monitoring cycle on the application of the European Charter for Regional or Minority Languages by Slovakia at its session on 23 May 2007. Government ministries and other bodies responsible for the commitments arising from the Language Charter carried out an analysis of the conclusions of the Council of Europe's Committee of Ministers. Based on this in-depth analysis, they were instructed to formulate concrete tasks and measures deriving from the monitoring procedure and from the undertakings given under the Language Charter.

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

The text of the Charter was published in the Collection of Laws under No. 588/2001 in Slovak version. All documents relating to the first monitoring cycle on the level of application of the European Charter for Minority or Regional Languages, as well as the text of the Charter and its Explanatory Report are also published on the website of the Ministry of Foreign Affairs of the Slovak Republic ([www.mzv.sk](http://www.mzv.sk)), which is responsible for drawing up implementation reports.

The Information on the implementation and results of the first monitoring cycle on the application of the Charter, which the Slovak government took note of on 23 May 2007, was submitted to an inter-ministerial review procedure.

The documents relating to the Charter are available in both, Slovak and English at portal of the Directorate for Human Rights, Nationalities and National Minorities of the Slovak Government Office ([www.vlada.gov.sk](http://www.vlada.gov.sk)).

***5. It is understood that full details of the measures taken to implement the Recommendations of the Committee of Ministers will appear in the body of the report. Nevertheless, please summarise those measures for each recommendation.***

At the 988th meeting of the Ministers' Deputies held on 21 February 2007, the Council of Europe's Committee of Ministers adopted Recommendation RecChL(2007)1 on the Application of the European Charter for Minority or Regional Languages by Slovakia. The following measures were adopted in connection with the implementation of its recommendations:

**Recommendation No. 1:**

***Improve and complete the legislative framework in the light of the obligations entered into by Slovakia upon its ratification of the Charter, and in particular:***

- a. review the requirement that regional or minority language speakers should represent at least 20% of the municipal population for the undertakings in the field of administration to be operational,***
- b. review the restrictions on the use of regional or minority languages arising as a consequence of the State Language Act***
- c. remove the restrictions on the right to use regional or minority languages in court***
- d. guarantee women the right to adopt or use family names in regional or minority languages***

a) Regarding the recommendation to review the requirement that regional or minority language speakers represent at least 20 % of the municipal population for the undertakings in the field of administration to be operational, it needs to be stated that at the time of the deposit of its instrument of ratification, the Slovak Republic made a declaration pursuant to Article 1 (b) of the Charter according to which the term “territory in which the regional or minority language is used”, also regarding the application of Article 10, refers to the municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20 % of the population according to the Ordinance of the Government of the Slovak Republic No. 221/1999 Coll. In setting this threshold, the Slovak Republic took due account of the interest of persons belonging to national minorities to use their minority languages in official communication, the situation of individual minority languages, and the real need to protect them from extinction, as well as of the duties, legitimate interests, needs, economic efficiency and other criteria that are of concern for the state. The level of the threshold reflects, on the one hand, the high number of national minorities living on the territory of the Slovak Republic and their high percentage representation in the population and, on the other hand, Slovakia’s settlement structure characterised by a high number of municipalities with a low population. The threshold set at the level of 20% of persons belonging to national minorities is therefore adequate.

b) Regarding the recommendation to review the restrictions on the use of regional or minority languages resulting from the State Language Act, it needs to be emphasised that Act No. 270/1995 Coll. on the state language of the Slovak Republic as amended (hereinafter referred to as the “State Language Act”) does not regulate the use of minority languages, and its application in practice does not restrict the right of persons belonging to national minorities to use their mother tongue in official communication provided for under the Slovak legislation in force. The State Language Act does not apply to the use of the state language by individuals; it merely regulates its use by State authorities and self-government bodies in the exercise of their powers and by public service institutions and organisations in the provision of services. According to Section 7 para. 2 of Act No. 270/1995 Coll. on the State Language of the Slovak Republic as amended, this is without prejudice to the rights of persons belonging to national minorities or ethnic groups and the rights of aliens who do not speak the state language guaranteed under separate legislation.

The legal system of the Slovak Republic gives the minorities the right to use their languages. No legal regulation, and the State Language Act is no exception, impinges on this right. It was noted already in the previous report on the application of the European Charter for Minority or Regional Languages by Slovakia submitted in 2003 that certain specific provisions of the Charter transposed into the legal system of the Slovak Republic go further than some of the requirements of this international instrument (such as the use of minority languages in court proceedings in the entire territory of the Slovak Republic).

The preamble to the Charter specifically underlines 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. At the time of adopting the Charter, the Slovak Republic made a declaration stating, *inter alia*, that it will implement the undertakings given under the Charter in conformity with the Constitution of the Slovak Republic and without prejudice to the use of the state language.

The state language enjoys a special status compared with other languages spoken in the territory of the State (Section 1 para. 2 of the State Language Act) and plays the role that

cannot be replaced by any other language. In this respect, the Charter does not foresee an identical degree of use of minority languages and of the state language and does not place these languages at the same level when used in official communication. The Charter was adopted to ensure an adequate degree of protection of minority languages from extinction. The Slovak Republic has a positive track record in pursuing basic objectives set out in this document. It should be thus emphasised that legal provisions on safeguarding and strengthening the status of the state language (the Constitution of the Slovak Republic, the State Language Act and other related provisions) are not in conflict with the right of the members of national minorities in the Slovak Republic to use their mother tongue in official communication, as provided for in the Slovak legislation in force (the Constitution of the Slovak Republic, Act No. 184/1999 Coll. on the Use of Languages of National Minorities and other legal provisions).

c) Regarding the recommendation to remove restrictions on the right to use regional or minority languages in court, it needs to be stated that applicable legislation does not restrict the right to use a regional or minority language in court proceedings. It also needs to be stated that Article 9 of the Charter clearly lays down the obligations of the Parties in respect of those judicial districts in which the number of residents using a regional or minority language justifies the relevant measures, 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. The Explanatory Report states with respect to this Article that, although the purpose of the Charter in this area is not to limit the use of minority languages to situations of practical necessity when the person is able to speak the state language, this also means that besides the human rights aspect, i.e. the right of persons to choose to use their minority language or the state language in court, the Party also has an obligation to enable the proper exercise of this right. On the other hand, the Charter gives the Parties certain discretion as to whether to accept the exercise of this right or not and to limit its application to certain judicial districts. As regards the overall context of this commitment, Slovak legislation in force lives up to the undertakings given by the Slovak Republic under the Charter.

d) Regarding the recommendation to give women the right to adopt or use family names in regional or minority languages, the Slovak legal system guarantees the exercise of this right (Act No. 300/1993 Coll. on Names and Surnames as amended, Act No. 154/1994 Coll. on Register Offices as amended). Detailed information concerning each selected minority language, including relevant provisions of applicable legislation, is given in Part III of the Report under Article 10, Administrative Authorities and Public Services.

**Recommendation No. 2:**

***Improve the provision of regional or minority language education, in particular concerning teacher-training, and set up a body in charge of monitoring the measures taken and progress achieved.***

The Constitution of the Slovak Republic, in conjunction with international instruments including the Charter, guarantees the citizens of the Slovak Republic belonging to national or ethnic minorities the right to learn the state language and the right to be educated in their language.

Under generally legally-binding regulations, education and instruction of national minorities in the Slovak Republic is provided in the same manner as and is equal with education and instruction provided in schools and educational facilities using the Slovak language of education or instruction. According to Section 3 para. 1 of Act No. 29/1984 Coll. (School Act) as amended, persons of Czech, Hungarian, German, Polish and Ukrainian (Ruthenian) nationality have the right to be educated in their language to the extent corresponding to the needs of their national development. At present, education of persons belonging to national minorities is provided on the basis of their demands.

Act No. 596/2003 Coll. on State administration in the school sector and school self-government and on amending and supplementing certain other acts as amended lays down the powers of councils, municipal school councils, and regional school councils to pursue the interests of local and regional self-government, parents and teachers in the area of education and instruction, i.e. including the teaching in mother tongues.

As regards the funding of schools providing instruction in a minority language and schools teaching a minority language in accordance with Section 4 para. 1 and 2 of Act No. 597/2003 Coll. on the financing of primary schools, secondary schools and educational facilities as amended, the founders of state schools are allocated the funds for individual calendar years from the Ministry of Education's budget chapter, within the limit of allocations determined on the basis of normatives for individual schools within the founder's jurisdiction. Normative allocations for schools are determined in the given calendar year on the basis of the number of pupils and of the normative financial limit per one pupil of the school in the current calendar year. Normative-based financing of schools is linked to the number of their pupils rather than the number of their classrooms.

Section 4 para. 1 of Government Ordinance No. 2/2004 Coll. setting out the details of the breakdown of State budget allocations for primary schools, secondary schools, practical training centres, primary schools of art, and educational facilities as amended provides that if the total number of full-time pupils within municipal boundaries receiving instruction in a certain language is less than 250, the value of the normative is increased by a compensation allowance. Depending on the number of pupils, these increased coefficients have a value of 1.004 to 1.495 and determine the rate of increase of the basic normative per one pupil of the school. The implementation of the above provision has created the necessary preconditions for financing the schools with combined grades, whose existence in certain parts of the Slovak Republic is unavoidable.

Section 4 para. 2 of Government Ordinance No. 2/2004 Coll. provides for the increase by 8 % of wage normatives per one pupil of a school with other than the Slovak language of instruction, i.e. the normative per such pupil constitutes a 1.08 multiple of the normative per one pupil of a school with instruction in Slovak. This increase in the wage normative reflects the fact that curricula for grades 1 to 4 and for grades 5 to 9 of primary schools with instruction in a national minority language place high demands on the teaching staff.

**The share of funds allocated for pupils of schools with instruction in national minority languages in the total amount of funds for all school pupils**

calendar year	for all schools (in SKK thous.)	schools with instruction in a minority language (in SKK thous.)	ratio in %
2006	27,275,636	1,463,460	5.37 %
2007	29,756,038	1,730,642	6.35 %

As a rule, schools with instruction in a minority language use the translations of Slovak textbooks or adapted textbooks approved by the Ministry of Education of the Slovak Republic (hereinafter referred to as “the Ministry of Education”). The most essential and strictly needed textbooks and workbooks for schools providing instruction in a minority language and schools teaching a minority language are approved on the annual basis. According to Section 40 of the School Act, it is also possible to use other textbooks and teaching texts than those included on the list drawn up by the Ministry of Education. The Ministry of Education provides financial subsidies only for the textbooks and workbooks approved in the Editorial Plan of the Ministry of Education and published in the order sheet of the AD REM distribution agency.

Under the approved Editorial Plan, a total amount of SKK 294,843,819 was approved for the publication of textbooks for schools in the Slovak Republic in 2006. The total allocation on textbooks for schools with instruction in a minority language and schools teaching a minority language was SKK 46,215,257, i. e. 15.7 % of the total amount.

The Slovak Republic has an adequate network of higher education institutions providing instruction in minority languages or teaching a minority language, such as the Prešov University (the Institute for Regional and Minority Studies – Department of Ruthenian Language and Culture, since 1 March 2008 an independent Institute of Ruthenian Language and Culture) for the Ukrainian and Ruthenian languages; the J. Selye University at Komárno (Faculty of Pedagogy), the Comenius University in Bratislava (Faculty of Pedagogy), the Constantine the Philosopher University at Nitra (Faculty of Central European Studies – training of teachers for primary and secondary schools) – for the Hungarian language; the Constantine the Philosopher University at Nitra (Institute of Romology Studies) for the Romany language. More detailed information is given in Part III of the Report.

**Recommendation No. 3:**

***Improve the provision of broadcast and print media in all regional or minority languages.***

Very good conditions for the application of the Charter, comparable with standard conditions in the EU member states, have been created in the area of broadcasting provided by public service television and radio. The provisions of Act No. 16/2004 Coll. on Slovak Television as amended and Act No. 619/2003 Coll. on Slovak Radio as amended guarantee the broadcasting of programmes, balanced in terms of their content and regional coverage, in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic. Public service media may set up separate organisational units for the production and broadcasting of programmes for national minorities and ethnic groups.

The Slovak Radio, an independent national information, cultural and educational public service institution, provides services to the public in the area of radio broadcasting. Among the key tasks of the Slovak Radio is to ensure that public interest programmes have a majority proportion in its broadcasting structure and that they include, as their integral component, minority language programmes balanced in terms of their content and regional coverage. In this manner, the Slovak Radio fulfils its mission of promoting cultural identity of all the inhabitants of the Slovak Republic. The Slovak Radio broadcasts programmes for national minorities and ethnic groups living in the territory of the Slovak Republic on its Radio Patria channel. Since it was put on the air in 2000, Radio Patria has provided the umbrella for the programmes for Hungarian listeners and those of other minority languages – Ruthenian, Ukrainian, Polish, Czech, German and Romany. The total duration of Slovak Radio’s broadcasts for national minorities in 2006 was 3,859 hours. In October 2007, the Slovak Government made a decision to allocate funds to the Ministry of Culture, specifically dedicated for Slovak Radio’s broadcasts of programmes in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic, in the total amount of SKK 45,400,000.

#### **The duration of Slovak Radio’s broadcasts for national minorities in 2006**

(Source: The 2006 Annual Report of the Slovak Radio)

<b>National minority</b>	<b>Duration of broadcasting in hours</b>	<b>Duration of broadcasting in %</b>
<b>Hungarian</b>	2984	77.3
<b>Ruthenian</b>	376	9.7
<b>Ukrainian</b>	394	10,2
<b>Roma</b>	66	1.7
<b>German</b>	17	0.5
<b>Czech</b>	15	0.4
<b>Polish</b>	7	0.2
<b>Total</b>	<b>3,859</b>	100

As regards television broadcasting, the Slovak Television regularly broadcasts four basic types of minority programmes since September 2004, three of them for members of the Hungarian national minority. In 2006, the minority broadcasting department produced a total of 141 programmes representing 23 hours and 50 minutes of premiere programmes of own production. The total duration of Slovak Television broadcasts in minority languages in 2006 was 218.33 hours.

#### **The duration of Slovak Television’s broadcasts for national minorities in 2006**

(Source: The 2006 Slovak Television Annual Report)

<b>National minority</b>	<b>Duration of broadcasting in hours</b>	<b>Duration of broadcasting in %</b>
<b>Hungarian</b>	139.83	64.04
<b>Roma</b>	32.84	15.09
<b>Ukrainian</b>	8.3	3.8
<b>Ruthenian</b>	7.73	3.54
<b>Czech</b>	6.52	2.99
<b>German</b>	5.18	2.37
<b>Polish</b>	2.55	1.17
<b>Jewish</b>	5.33	2.44

<b>Bulgarian</b>	2.6	1.19
<b>Croatian</b>	0	0
<b>Ethnic groups</b>	4.3	1.97
<b>Other</b>	3.05	1.4
<b>Total</b>	<b>218.33</b>	100

In general, print media are governed by Act No. 81/1966 Coll. on Periodical Press and Other Mass Media as amended; it contains no restrictions on the publication of periodical press in national minority languages, but neither does it contain any specific provisions concerning periodical or non-periodical press of national minorities and ethnic groups. In the Slovak Republic, the publication of periodical and non-periodical press in the languages of national minorities and ethnic groups is supported through state subsidies provided by means of the grant system of the Ministry of Culture. Under the Ministry of Culture's grant programme, individual national minorities are allocated dedicated funds for cultural activities and for periodical and non-periodical press. This meets the requirements for the fulfilment of the goal of the Charter and for ensuring its functionality, since the minorities and ethnic groups are given the possibility to develop and use their own language as the medium of their cultural heritage and preservation of their linguistic identity.

In 2007, the Ministry of Culture allocated through its grant programme on the Culture of National Minorities the amount of SKK 18,932,000 for periodical press projects, and SKK 15,965,999 for non-periodical press projects of all the 12 national minorities living in the Slovak Republic. More detailed information is given in part III of the Report.

**Recommendation No. 4:**

***Promote awareness and tolerance vis-à-vis the regional or minority languages and the cultures they represent as an integral part of the cultural heritage of Slovakia, both in the general curriculum at all stages of education and in the media.***

The Slovak Republic makes sustained efforts at integrating cultural activities of national minorities into the cultural life of the majority population through the activities of the Ministry of Culture. The Ministry of Culture's grant programme annually supports a number of cultural events featuring cultural ensembles of national minorities, aimed at promoting the projects that present minority cultures to the majority population and having the ultimate objective of promoting multiculturalism, suppressing racism, xenophobia and all expressions of discrimination. In 2007, the Ministry of Culture thus participated in the European Year of Equal Opportunities for All through its grant system arrangements and/or grant programmes on the Culture of National Minorities and Culture of Disadvantaged Groups of the Population, mainly by means of promoting cultural activities that help to create equal opportunities in the area of culture and to improve conditions for accessibility of culture and for the promotion of minority cultures. One example is, for instance, the Festival of Minority Cultures – the Minority Culture Summer, presenting the culture of national minorities and culture of disadvantaged groups of the population.

In the area of education, the Ministry of Education drew up a National Plan of Education to Human Rights for the Period of 2005–2014, which was approved at the second board meeting of the Minister of Education on 8 February 2005. The responsibility for its implementation has been entrusted to the Ministry of Education. The National Plan consists of three intrinsically linked areas:

1. Further education of pedagogical staff

2. Publication of methodology materials and teaching texts
3. System for monitoring and evaluating the scope and quality of human rights education

The Ministry of Education carries out annual monitoring of the implementation of the tasks and, based on its results, it draws up the plan of activities for the next calendar year together with financial arrangements for their implementation (budgetary measure).

**Recommendation No. 5:**

***Concerning the Romany language:***

- a. Ensure that Romany language education is provided where there is a demand for it and inform Roma parents about its availability***
- b. Accelerate the implementation of a curriculum for the Romany language***
- c. Abolish without delay the practice of unjustified enrolment of Roma children in schools for children with special needs***

The professional umbrella for education in the Romany mother tongue in the Slovak Republic is provided by the National Institute for Education. The necessary preconditions have been created on the basis of experimental verifications approved by the Ministry of Education, which are to be completed by 2009; their aim is to verify education programmes, curriculum development and adoption of educational standards for the subjects of Roma language and literature and the Roma facts of life for primary schools, eight-year gymnasias, and secondary schools as follows:

- Experimental verification of the effectiveness of the curriculum for the subject of Roma language and literature for primary and secondary schools, approved by the Ministry of Education on 14 April 2003 under No. 1999/2003-44.
- Experimental verification of the effectiveness of the curriculum for the subject of Roma facts of life at the second level of primary and at secondary schools, approved by the Ministry of Education on 15 April 2004 under No. CD-2004-5211/18824-3:097.

The national project on “Improving the qualification potential of members of the Roma community by opening a new study programme on Romology in the system of education at secondary schools” approved on 28 January 2005 is carried out under professional auspices of the National Institute for Education and financed from the ESF under Reg. No. SOP LZ 2004/NP1-002 at a total level of SKK 9,519,394 allocated for the period of 1 March 2005 – 31 December 2006, extended to 31 March 2007. The objectives of the project were:

- to eliminate the low access of the Roma to education and employment, which is due to the language barrier, cultural handicaps, low mobility and social and economic situation of Roma families,
- to introduce a new “Romology” course in the system of secondary schools,
- to increase the level of education of the Roma in the Slovak Republic, which is a necessary precondition for their labour market participation and integration into society in general.

To ensure the teaching of the Romany mother tongue at primary and secondary schools, the Ministry of Education approved “Temporary equalising measures aimed at training the necessary number of teachers providing instruction in the Romany language” under No. CD-2004-7613/14980-1:097 of 28 June 2004. The material is available on the portal of the Ministry of Education [www.minedu.sk](http://www.minedu.sk) – Regional Education – Education and Instruction of National Minorities.



In cooperation with the Ministry of Labour, Social Affairs and Family of the Slovak Republic, the National Institute for Education implemented a pilot project on Completing the Primary School, targeted at the long-term unemployed job-seekers of up to 26 years of age who dropped out from primary schools. Students who complete a course which gives them basic education at the primary school level will then get a chance to pursue their vocational training at a secondary vocational school or an apprentice training school of their choice. The details on the experimental nation-wide verification carried out in connection with the project are provided in Part III of the Report in relation to Article 8 of the Charter devoted to the Romany language.

As regards unjustified enrolment of Roma children in special schools, it needs to be stated that the Ministry of Education has given this issue its utmost attention already for several years. The issue of educating children of Roma origin in special schools and educational establishments is addressed on the basis of the criteria which are identical with the criteria applied to all children and pupils who belong to the category of pupils with special educational needs according to Section 3 para. 3 of Act No. 29/1984 Coll. on the system of primary and secondary schools (the School Act) as amended. The conditions that apply to the education of pupils of Roma origin enrolled in special schools because of a disability, impairment or development disorder are those for other pupils. According to Section 28 para. 1 of Act No. 29/1984 Coll. on the system of primary and secondary schools (the School Act) as amended, special schools ensure the education of pupils with special educational needs whose disability prevents them from attending other schools. Under this legislation, which entered into effect on 1 September 2000, it is not possible to enrol children who fail to perform satisfactorily in regular schools in spite of receiving individual attention in special schools for pupils with mental disabilities. In practice, the pupils who are largely affected by this change are those coming from socially disadvantageous environment, most of them of Roma origin.

The continued relatively high number of Roma pupils in special schools for pupils with mental disabilities is connected mainly with the use of standard tests for assessing school maturity and intelligence potential which do not take into account the background of the child. The newly developed specific tests (the outcome of the Phare 2001 project – School Aptitude Test for Socially Disadvantaged Children and RR Screening – battery of tests for ruling out mental retardation of 6 to 10-year old children from socially disadvantageous environment), which are used in practice since 2004, should eliminate this shortcoming.

Another reason for a higher number of children with mental impairments in the Roma population is the closed character of their settlements, resulting in a higher incidence of the predisposition to the transfer of genes that have a negative effect on the health development of children, including mental disorders.

**Special primary schools for pupils with mental disabilities, by regions<sup>1)</sup>, of them pupils belonging to the Roma national minority**

<b>Region</b>	<b>Number of schools</b>	<b>Number of pupils with mental disabilities – total</b>	<b>Of them, pupils of Roma origin</b>
Bratislava	9	958	0
Trnava	26	1,594	30
Trenčín	13	999	0
Nitra	20	1,646	30
Žilina	15	1,356	0
Banská Bystrica	27	2,802	65
Prešov	26	5,339	598
Košice	28	5,056	315
<b>Slovak Republic</b>	<b>157</b>	<b>19,750</b>	<b>1,038</b>

The objective of the Phare 2002 project was to carry out a new testing of children from socially disadvantageous environment. If there is a good prospect for transferring a pupil from a special school to a regular primary school, the pupil concerned should be provided education aimed at ensuring his/her smooth transition to the primary school. Methods and forms applied to ensuring good school attendance and performance of Roma children are appropriately adapted in line with the current trend of wider integration of pupils with less serious forms of disability into standard schools, supported by special-pedagogy services.

To ensure sustainability of the Phare 2002 project on setting up the so-called transitive classes in special primary schools, the Ministry of Education issued Guideline No. 11/2006-R of 25 May 2006 amending and supplementing Guideline No. 7496/1985 – 20 of the Ministry of Education of 5 July 1985 as amended, which provides for setting up specialised classrooms, representing the outcome of the project in the primary school context. At the same time, the Ministry of Education issued Decision No. CD-2006-7872/17614-1:097 of 19 June 2006 approving experimental verification of the project on “Transitive classes in Primary Schools” in the period of 1 January 2006 to 31 August 2008. The entity responsible for experimental verification, using the outcomes of the Phare 2002 project, is the Research Institute of Child Psychology and Pathopsychology.

Related activities of the Research Institute of Child Psychology and Pathopsychology:

“Optimisation of Educational Procedures for Roma Pupils” – a project linked to the Phare project (“project sustainability”) aimed at preparing conditions for the teaching in transitive classes created within special primary schools. The project is oriented on the creation and experimental verification of the conditions for the teaching, adaptation of its content and suitable teaching materials in specialised classes set up within standard primary schools. Due to financial reasons, the project of specialised classes is to be implemented starting in the 2007/08 school year. A seminar was held in June for teachers of participating primary schools (Zborov, Lučenec, two schools at Košice), and for special primary schools that continue to set up transitive classes (Jelšava, Jarovnice, Hanušovce, Prešov). In this connection, copybooks for first-graders have been purchased and orders have been placed for ABC books and readers as well as for a Teacher's Methods Manual. A revision is currently underway of the content of

<sup>1</sup> Data from Statistical Yearbook of the Institute of Information and Forecasts for the Education Sector for the school year 2006/2007

the teaching matter and a list is being compiled of teaching aids needed for specialised classes.

“The Specificities of the Cognitive Development of Roma Children” – a longitudinal project on monitoring the development of cognitive functions of Roma children aged 5 to 10. The first part of the field research was carried out in the previous period (a project approved by the VEGA Agency); the same children continue to be tested this year at primary schools in different parts of Slovakia. Several studies have been carried out on the basis of the first stage of research and presented at specialised psychological events. The research suggests a delayed onset of developmental milestones for certain cognitive functions, but this trend needs to be monitored in children as they grow older. It will thus be possible to formulate the conclusions only after the research project has been completed in 2009.

“Improving the Educational Level of Roma Pupils from Socially Disadvantageous Environment” – the objective of the project was to develop a set of worksheets for Roma pupils who drop out of compulsory education before reaching grades 7 to 9 - 9. of primary schools (they will contain information the children need to gain a proper place in their future lives, laying emphasis on improving their communication skills, enhancing their self-awareness as individuals, and on making them actively contribute to shaping their own future (responsibility, cooperation, beliefs and possibilities, etc.), information and knowledge connected with partnership, family and community life, as well as learning practical ways of communicating with the authorities, looking for a job, different ways of obtaining information, etc. The teaching text on “How to Make It in Life – A Manual for Beginners (MPC Prešov 2007)” is suitable for ethics classes, since it was developed on the basis of the curriculum for this subject in higher grades of primary schools – i. e. the grades that are not to be completed by the target group of Roma, yet that are very important for enhancing the quality of their lives in the direction of their inclusion in the society. It may also be used in the courses aimed at acquiring complete basic education after the end of compulsory schooling.

Moreover, an ESF project on “Helping Career Counselling for Pupils and Students with Special Educational Needs as a Way to Prevent Their Labour Market Marginalisation” also includes the development of a programme for career education and counselling for children from disadvantageous social environment, i. e. for Roma pupils.

The use of the tests for Roma children by pedagogical and psychological counselling centres will be further monitored – a questionnaire has been prepared on the use of tests by pedagogical and psychological counselling centres. The development and standardisation of other diagnostics instruments are underway.

#### **Recommendation No. 6:**

##### ***Take measures to provide Ruthenian language education at all levels***

Since the 1997/1998 school year, the necessary preconditions have been created in the school education system for teaching the Ruthenian mother tongue based on the Policy Concept for Education and Instruction of Persons Belonging to the Ruthenian National Minority, approved by the Education Minister’s board meeting in August 1996. The Institute for Regional and Minority Studies which was subsequently established within the Prešov University has a Ruthenian Language and Culture Department offering teacher training programmes focused on the Ruthenian language. An independent Ruthenian Language and Culture Institute created on 1 March 2008 complements the Department’s activities with its educational and scientific

research projects. A primary school with instruction in Ruthenian has been added to the network of schools and educational facilities from 1 September 2008.

***6. Indicate what steps your state has taken to inform the following of the recommendations: all levels of government (national, federal, local and regional authorities or administrations); judicial authorities; legally established bodies and associations***

At its 23 May 2007 session, the Slovak Government took note of the Information on the implementation and results of the first monitoring cycle on the application of the European Charter for Regional or Minority Languages by Slovakia, drawn up to raise public awareness of the results of the first monitoring cycle on the application of the Charter by the Slovak Republic and to ensure implementation of recommendations of the Council of Europe's Committee of Ministers. The ministries concerned and other bodies responsible for the fulfilment of undertakings given under the Language Charter were instructed to analyse the conclusions of the Committee of Experts and recommendations of the Council of Europe's Committee of Ministers. Further, on the basis of that thorough analysis, they were to formulate specific tasks and measures deriving from the monitoring conclusions and from undertakings given under the Language Charter.

Recommendations of the Council of Europe's Committee of Ministers are available on the website of the Ministry of Foreign Affairs of the Slovak Republic. Information about the conclusion of the first monitoring cycle on the application of the Charter and the preparation of the second report on the application of the Charter by the Slovak Republic was included on the agenda of the Government Council on National Minorities and Ethnic Groups.

***7. Please explain how your state has involved the above in implementing the recommendations.***

The Government Council on National Minorities and Ethnic Groups deliberated, in its capacity of the Slovak Government's advisory body, also on issues connected with the application of the Charter. The Council falls under the substantive competence of the Government Office of the Slovak Republic, which has made arrangements for placing Council's conclusions and other related documents on its website.

In accordance with the Slovak Government's Policy Statement and the tasks formulated on its basis for the education sector in the period of 2006–2010, the Ministry of Education rallied the participation of relevant professional minority associations, civil associations and social organisations of individual national minorities in the Slovak Republic, and members of the Minister's advisory body on minority education and of the Ministry of Education's Board of Experts on Roma Education and Training in the implementation of recommendations of the Council of Europe's Committee of Ministers.

## PART II

### Article 7 - Objectives and principles pursued in accordance with Article 2, paragraph 1

*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."*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a):

Articles 6 and 34 of the Constitution of the Slovak Republic are the legislative basis for the implementation of the Charter in the Slovak Republic. Article 6 of the Constitution stipulates that the Slovak language is the state language of the Slovak Republic. The use of languages other than the state language in official communications shall be laid down by law. Act No. 270/1995 Coll. on the state language of the Slovak Republic, as amended, regulates the use of the state language. Act No. 184/1999 Coll. on the use of languages of national minorities, lays down the rules for minority language usage.

Under Article 34 of the Constitution, citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, and to establish and maintain educational and cultural institutions. A law shall lay down details thereof. In addition to the right to learn the state language, citizens belonging to national minorities or ethnic groups shall, under the conditions laid down by law, also be guaranteed

- a) the right to be educated in their language,
- b) the right to use their language in official communications,
- c) the right to participate in decision-making in matters affecting national minorities and ethnic groups.

The exercise of rights of citizens belonging to national minorities and ethnic groups guaranteed by the Slovak Constitution must not threaten the sovereignty and territorial integrity of the Slovak Republic, or discriminate against other citizens.

These provisions of the Constitution are specified in Act No. 184/1999 Coll. on the use of languages of national minorities, and in other laws mentioned in Part I. of this Implementation Report. The preamble of the Act acknowledges and appreciates the importance of mother tongues of those citizens of the Slovak Republic who belong to national minorities as an expression of the cultural wealth of the country.

b):

Act No. 221/1996 Coll. on the territorial and administrative organisation of the Slovak Republic as amended, regulates the territorial and administrative structure of the Slovak Republic. The administrative units of the Slovak Republic are regions and districts. Regions are divided into districts. The territory of a region and the territory of a district are the territorial units in which the bodies of the State exercise their powers unless otherwise provided in a separate law. This administrative organisation does not constitute an obstacle to the promotion of minority languages, nor does it have a negative effect on minority languages.

At the time of deposit of the instrument of ratification, the Slovak Republic made the declaration that according to Article 1 paragraph b) of the Charter, the term “territory in which the regional or minority language is used”, also regarding the application of Article 10, shall refer to those municipalities listed in Ordinance of the Government of the Slovak Republic No. 221/1999 Coll. Issuing the list of municipalities in which citizens of the Slovak Republic belonging to national minorities form at least 20% of the population, as of 25 August 1999. In this process, the Slovak Republic took into account the interests of persons belonging to national minorities in using the minority language in official communication, the situation of individual minority languages and the real need of their protection against extinction, as well as the state’s tasks, justified interests, needs, economic efficiency and other criteria. The given percentage has resulted, on the one hand, from the high number of national minorities living on the territory of the Slovak Republic and their high representation in the population and, on the other hand, Slovakia’s settlement structure characterised by a high number of municipalities with a low population.

c):

The Government of the Slovak Republic is working on the adoption of several policy concepts and legislative texts (see pp. 14, 15) in the field of support to and protection of rights of persons belonging to national minorities, including the protection of minority languages, as envisaged in the Manifesto of the Government of the Slovak Republic, the Plan of Legislative Tasks of the Government of the Slovak Republic and the Activity Plan of the Government of the Slovak Republic. The amendment to Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination, and on amending and supplementing certain other laws (the Antidiscrimination Act), as amended, and on amending and supplementing Act No. 308/1993 Coll. on the establishment of the Slovak National Centre for Human Rights, as amended, is also of relevance for this provision of the Charter.

d):

The Slovak Republic applies the principle confirmed in the Charter concerning the facilitation of the use of minority languages, in speech and writing. Article 34 paragraph 2 of the Constitution of the Slovak Republic stipulates that, in addition to the right to learn the state language, the citizens belonging to national minorities or ethnic groups shall, under the conditions laid down by a law, also be guaranteed the right to be educated in their language, the right to use their language in official communications, the right to participate in decision making in matters affecting national minorities and ethnic groups. The right to education in a minority language and/or a foreign language is confirmed in Act No. 29/1984 Coll. on the system of primary and secondary schools (the School Act). Act No. 184/1999 Coll. on the use of languages of national minorities, also lays down the rules for minority language usage in official communication.

e):

The Slovak Republic continuously pursues the inclusion of cultural activities of individual national minorities into the cultural life of the majority society through the Ministry of Culture of the Slovak Republic. The Ministry of Culture of the Slovak Republic annually supports several cultural events featuring cultural ensembles of national minorities with the aim of; promoting projects presenting minority culture to the majority population through its grant scheme; fostering multiculturalism; and suppressing racism, xenophobia and all expressions of discrimination. In 2007, the Ministry of Culture of the Slovak Republic participated in the European Year of Equal Opportunities to All, through mechanisms of the

grant scheme and/or the specific Culture of National Minorities and Culture of Disadvantaged Groups of the Population grant schemes, mainly by supporting cultural activities facilitating the creation of equal opportunities in culture and improvement of conditions for accessibility of culture and for the promotion of minority cultures.

On 5 April 2006, the Government of the Slovak Republic approved the Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Expressions of Intolerance for the Period of 2006-2008 (hereinafter the “Action Plan”) by its Resolution No. 287/2006. In 2006, the activities of the Action Plan focused on several areas of social and cultural life with an emphasis on raising the knowledge level of the citizens of the Slovak Republic in the area of human rights, and prevention of negative phenomena in the society, including discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance.

f):

Education of national minorities in their mother tongue and teaching of their mother tongue, including an institutional structure composed of schools and schooling institutions with education and instruction in minority language and the teaching of the minority language, is an integral part of the school system of the Slovak Republic, pursuant to generally legally-binding provisions of the Slovak Republic. Every change in the content and organisation of education and study is identically reflected in the content of education and study at schools and schooling institutions with education/instruction in the minority language and teaching of the minority language.

The education process at schools with instruction in the minority language and teaching of the minority language follows approved teaching documentation, which includes curricula, syllabi and teaching standards for all subjects, approved by the Ministry of Education of the Slovak Republic.

In the education of children and pupils belonging to national minorities, the education sector applies and respects the democratic right of parents to free choice of the language of instruction of the school.

The Government of the Slovak Republic approved the Concept of Education and Instruction of National Minorities by its Resolution No. 1100 of 19 December 2007. The Concept is the first comprehensive document that elaborates on issues of education of national minorities in general. The Concept builds on the analysis of the current situation regarding education of national minorities, in the context of the system of education of the Slovak Republic, carried out according to the approved concepts and plans of the Ministry of Education of the Slovak Republic. The Concept of Education and Instruction of National Minorities is available on the web site of the Ministry of Education of the Slovak Republic.

g):

Such preferential treatment is a part of the education system in the minority language, at least for children and youth.

h):

The Slovak Republic has an adequate network of higher education institutions providing education in minority languages or study of minority languages; the Ukrainian and Ruthenian languages are covered by Prešov University and the Institute for Regional and Minority



Studies – Department of Ruthenian Language and Culture, since 1 March 2008 an independent Institute of Ruthenian Language and Culture; the Hungarian language is in the programmes of J. Selye University at Komárno (three faculties with education in the Hungarian language), Comenius University in Bratislava, Constantine the Philosopher University in Nitra – Faculty of Central European Studies (training of primary and secondary school teachers in the Hungarian language), and the Faculty of Philology of Matej Bel University in Banská Bystrica – Department of Hungaristics; the Romany language is studied at Constantine the Philosopher University in Nitra – Institute of Romology Studies.

i):

To foster regional and/or minority languages, the Slovak Republic promotes transnational exchanges with those countries where these languages are used. The existing projects which ensure such exchanges include:

- Exchanges of persons working in joint projects between the Slovak Republic and the Federal Republic of Germany for the period 2005 to 2006.
- The programme of cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Education of the Republic of Hungary in the fields of education, science, sports and youth.
- The programme of cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Education and Sports of the Republic of Croatia and the Ministry of Science and Technology of the Republic of Croatia.
- The Protocol between the Ministry of Education of the Slovak Republic and the Ministry of Education, Youth and Sports of the Czech Republic in the fields of education, youth, physical training and sports for the period 2002 to 2006.
- The Agreement between the Ministry of Education of the Slovak Republic and the Bavarian State Ministry of Science, Research and Arts concerning terms and conditions for the lecturer in Slovak language and culture at the University of Regensburg.
- The programme of cooperation between the Ministry of Education of the Slovak Republic and the Ministry of National Education and Sports of the Republic of Poland, 2003 - 2006.
- The Central European Exchange Programme for University Studies - CEEPUS. This programme was established by the signing of an intergovernmental treaty in December 1993. The member states of the programme are Austria, Bulgaria, Croatia, the Czech Republic, Hungary, Poland, Slovakia, and Slovenia. Resolution of the Government of the Slovak Republic No. 711 of 13 July 1994 is the basis for the programme implementation in the Slovak Republic.

Paragraph 2:

The right of persons belonging to national minority to use their language is enshrined in the legal system of the Slovak Republic (Constitution of the Slovak Republic, Act No. 184/1999 Coll. on the use of languages of national minorities, etc.). No legal provision is in contradiction with this right. Legislation on safeguarding and strengthening the status of the state language (Constitution of the Slovak Republic, State Language Act and other related regulations) is not in conflict with the right of persons belonging to national minorities to use their mother tongue in official communication, as provided for in currently valid Slovak legislation (the Constitution of the Slovak Republic, Act No. 184/1999 Coll. on the use of languages of national minorities, and other regulations).

Paragraph 3:

The Ministry of Education of the Slovak Republic prepared a National Plan of Education to Human Rights for the Period of 2005–2014, approved at the second board meeting of the Minister of Education on 8 February 2005, based on the Government Resolution No. 446/2004. Human rights issues, including multicultural education and education against prejudice make a part of the education process. In the Slovak Republic, human rights education is mainly included in general subjects (e.g. civics, ethics, and social studies) at primary and secondary schools. The Human Rights Olympics organised for secondary school students since 1997 can be mentioned as a good example. Recently, it has also focused on issues of discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance.

Paragraph 4:

In order to ensure intercultural dialogue and to find solutions for the education process of national minorities, Deputy Prime Minister and Minister of Education J. Mikolaj created an advisory body – the Council for National Minority Education. The composition of the Council is displayed on the website of the Ministry of Education of the Slovak Republic. In addition, the Ministry of Education of the Slovak Republic has a Board of Experts of the Ministry of Education of the Slovak Republic on the Education and Training of Roma, established by Order of the Minister 5/2005-I as amended, in existence since 2005.

The Slovak Republic has also established a Council of the Government of the Slovak Republic for National Minorities and Ethnic Groups (hereinafter “the Council”), which is an advisory and coordinating body of the Government of the Slovak Republic for national minority policy and for the implementation of the European Charter for Regional or Minority Languages (see p. 20). The last session of the Council was held on 28 February 2008, when the drafting process of the Second Report on the Implementation of the European Charter for Regional or Minority Languages in the Slovak Republic was also discussed.

Paragraph 5:

One language that can be considered as non-territorial under certain circumstances is Yiddish. Representatives of the Jewish community in Slovakia, who could be expected to speak Yiddish and Hebrew, stated that these languages are used primarily in liturgical rites and, to a limited extent, in family life.

## PART III

Explanatory notes:

The Slovak Republic has selected 49 – 53 provisions from Part III of the Charter for nine minority languages, which are divided into three groups with respect to the applicability of selected provisions:

1. the Hungarian language
2. the Ruthenian and Ukrainian languages
3. other languages – Bulgarian, Czech, Croatian, German, Polish, Romany

So as to have a clearer structure of the report, and to prevent duplication of presented information, the measures adopted for the implementation of selected provisions of the Charter are presented for each of the above three groups of languages, instead of for each language separately. The Romany language, which is reported on separately, is the only exception from the group of three languages.

### THE HUNGARIAN LANGUAGE

#### Article 8 - Education

##### Paragraphs and Sub-paragraphs chosen:

*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*
- b) *i to make available primary education in the relevant regional or minority languages;*
- c) *i to make available secondary education in the relevant regional or minority languages*
- d) *i to make available technical and vocational education in the relevant regional or minority languages;*
- e) *i to make available university and other higher education in regional or minority languages*
- 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*
- 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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) i:

**Overview of kindergartens with pre-school education in the Hungarian language**  
(Source: Statistical Office of the Slovak Republic, Institute for Information and Prognosis of Education):

Kindergartens 2006/2007				
		Number of		
Language of the school	Language of the class	schools	classes	pupils
Hungarian	Hungarian	278	510	8 922
Slovak-Hungarian	Slovak	79	135	2 696
	Hungarian		114	2 156

The current statistical overviews (school year 2006/2007) indicate that the average class size in kindergartens with education in the Hungarian language is 17 children (for kindergartens with education in the Slovak language, there is 21.)

b) i:

**Primary schools with education in the Hungarian language and/or teaching of the Hungarian language in the 2006/2007 school year:**

		Number of		
Language of the school	Language of the class	schools	classes	pupils
Hungarian	Hungarian	252	1 895	33 453
Slovak-Hungarian	Slovak	33	144	2,347
	Hungarian		154	2,441

**Special primary schools, including integrated classes, in the 2006/2007 school year:**

		Number of		
Language of the school	Language of the class	schools	classes	pupils
Hungarian	Hungarian	12	98	893
Slovak-Hungarian	Slovak	15	85	767
	Hungarian		57	523

Persons belonging to national minorities are educated either at schools or in classes with instruction in the minority language, where education is in the mother tongue, if so requested.

Schools provide teaching of the state language as a separate subject - Slovak Language and Literature on a mandatory basis. This form of education is available to the Hungarian minority. For instance, in the basic variant 1, curricula for grades 1 – 4 of primary schools with instruction in the Hungarian language have 19 lessons taught in the Hungarian language and 5 lessons in the Slovak language out of a total of 24 lessons a week in grade 2.

The average class size at primary schools with instruction in the Hungarian language is 18 pupils (for primary schools with instruction in the Slovak language, it is 20.9).

The curricula for grades 1 – 9 of primary schools with instruction in the minority language and teaching of the minority language were approved by the Ministry of Education of the Slovak Republic under No. 520/2003-41, with effect from 1 September 2003, on 14 May 2003. These curricula are a set of currently valid curricula for grades 1 – 9 of primary schools and their mutations for schools with instruction in the minority language and teaching of the minority language, which use the minority or regional language<sup>2</sup>, i.e. in this case, the Hungarian language. The set also includes two variants of curricula for a course of education at the primary school level. Schools with instruction in the Hungarian language were supplied with textbooks with a value of SKK 45,588,257.

At schools with instruction in the minority language and teaching of the minority language, individual subjects are taught according to the same syllabi as at schools with instruction in the Slovak language, except for the teaching of the mother tongue and minority literature. Schools with instruction in the Hungarian language have different syllabi for teaching Slovak language and literature, whereby some pieces of world literature are omitted and transferred into the mother tongue language and literature syllabus.

c), d) i:

**Overview of secondary schools with instruction in the minority language in 2006/2007:**

Language of the school	Language of the class	Gymnasia		SSS		SVS and AS		Combined SS		Special secondary	
		Number of									
		schools	pupils	schools	pupils	schools	pupils	schools	pupils	schools	pupils
Hungarian	Hungarian	19	4,401	6	754	8	1 264	3	1 248	2	57
Slovak-Hungarian	Slovak	7	1,668	17	3313	12	1 722	11	4 252	2	254
	Hungarian		1,219		2677		1 433		2 249		50

The average class size in gymnasia with instruction in the Hungarian language is 24.8 pupils, in secondary vocational school in classes with instruction in the Hungarian language, it is 19.2 pupils, in secondary specialised school and secondary vocational school classes with instruction in the Hungarian language, it is 19.2 and in combined school in classes with instruction in the Hungarian language, it is 23.5 pupils. In gymnasia with instruction in the Slovak language, it is 26.7 pupils, in secondary vocational schools with instruction in the Slovak language, it is 28.6 pupils, in secondary specialised schools and secondary vocational schools with instruction in the Slovak language, it is 28.6 pupils and in combined schools with instruction in the Slovak language, it is 25.7 pupils.

Data on the average number of pupils in classes shows that, in terms of education, schools with instruction in the minority language give teachers more room to work with the pupils on

<sup>2</sup> Teaching plans for grades 1 – 9 of primary schools, ISBN 80-967082-1 – X, 2003

an individual basis during the educational process, because the average class size at schools with instruction in the minority language and/or the teaching of the minority language is smaller than in the case of schools with the Slovak language of instruction.

e) i:

Study and research of minority languages is supported in compliance with Act No. 131/2002 Coll. on higher education and on the amendment to certain laws, as amended, (hereinafter the “Higher Education Act”). Education in the Hungarian language is provided at the following universities:

- Faculty of Philosophy of Comenius University in Bratislava
- Faculty of Philology of Matej Bel University in Banská Bystrica
- Faculty of Pedagogy of Constantine the Philosopher University in Nitra – Faculty of Central European Studies (graduates of teaching programmes find work at primary and secondary schools with instruction in the Hungarian language and in other schooling facilities, graduates of Hungarology mainly find work in media, publishing houses, cultural and educational facilities propagating the values of Hungarian culture.
- J. Selye University at Komárno (three faculties – Faculty of Economics, Faculty of Reformed Theology and Faculty of Pedagogy)

All public institutions of higher education in the Slovak Republic are autonomous and abide by the Higher Education Act. They are all financed and developed according to the rules laid down in the Higher Education Act, generally binding implementing regulations and other standards envisaged by law. The Ministry of Education of the Slovak Republic applies the principles of equality and fairness to all public institutions of higher education and their financing follows an approved and transparent method of financing.

The Ministry of Education of the Slovak Republic ensures the financing of J. Selye University in Komárno, according to the method of financing of institutions of higher education as approved by the Higher Education Act, in the same way as in case of other institutions of higher education. At the start of its activities and during the first years of operation, J. Selye University at Komárno received funds from the Ministry of Education of the Slovak Republic to cover the investments necessary for “launching” the operation.

The financial support from the state budget is composed of four subsidies granted on the basis of a contract. In determining the amount, the decisive aspects are the number of students, cost and human resource intensity of study specialisations as well as other performance parameters, e.g. national and/or international grants received number of publications by university staff and their research capacity. The number of full time students at J. Selye University in the 2006/2007 academic year increased by 240 compared with the previous academic year. The 2007 subsidy for current expenditures was increased proportionally to an amount of SKK 49,626,000, which is an increase by 30%. SKK 16,000,000 were made available for the reconstruction of the University building and Rector's Offices at the beginning of the year. The current average subsidy for each student of J. Selye University is SKK 32,167.

f) i:

A Methodological Pedagogical Centre, based in Bratislava and with five offices in Bratislava, Banská Bystrica, Prešov and Trenčín has been established according to Section 14 paragraph 2 subparagraph c) of Act No. 596/2003 Coll. on state administration in the education sector

and school self-government, and on amending and supplementing certain other acts as amended. The Centre reports directly to the Ministry of Education of the Slovak Republic, and its task is to give methodological guidance and provide continuing education of teaching and non-teaching employees. Its scope of competence covers schools and school facilities under founder's jurisdiction of self-governing towns, villages and regions, and of regional school offices in the Slovak Republic.

g):

Curricula for grades 1 - 4 of primary schools with instruction in the Hungarian language have two variants: basic and natural sciences oriented. Curricula for grades 5 – 9 of primary schools with instruction in the Hungarian language have two variants, differing in the allocation of hours for each educational subject and for extra lessons. One of the variants includes curricula for extended foreign language classes in grades 3 – 9 and/or grades 5 – 9 of primary schools with instruction in the Hungarian language. Curricula for grades 5 – 9 with extended mathematics and sciences classes, extended technical education and classes with sports have separate curricula for each subject. The set also includes curricula for classes with enhanced teaching of arts and music in grades 1 – 9 of primary schools with instruction in the Hungarian language.

Guidance No. 4541/1997-154 on teaching of conversation and technical conversation in the Slovak language at gymnasia, SSS and SVS with instruction in the Hungarian language effective from 1 September 1997 resulted in the drafting of separate methodological recommendations, selection of concepts from natural sciences the pupils should also know in the Slovak language, curricula added the subject of technical conversation in the Slovak language with focus on sciences to ensure a good standard of language education and better command of the state language at schools with instruction in the Hungarian language.

Curricula for gymnasia No. 3597/1990-20 were modified with effect from 1 September 1996; alternative curricula for gymnasia with instruction in the Hungarian language are valid since 1 September 1998, the curricula for eight-year gymnasia are effective from 1 September 1991. On 25 May 2004, the Ministry of Education of the Slovak Republic approved the curriculum and syllabus of history for four-year gymnasia with instruction in the Hungarian language under number CD-2004-7743/14567-1:094, with effect from 1 September 2004.

New curricula for secondary specialised schools and secondary vocational schools with instruction in the Hungarian language were approved with effect from 1 September 2004.

Alternative syllabi for the subject of history for four-year gymnasia with instruction in the Hungarian language include topics on the history of the national minority. On 25 May 2004, the Ministry of Education of the Slovak Republic approved the alternative curriculum and alternative syllabi under number CD-2004-7743/14567-1:094 with effect from 1 September 2004.

Supplementary teaching texts written by László Kovács and Attila Simon, teachers at gymnasia with instruction in the Hungarian language (Šamorín, Dunajská Streda) are used at primary schools with instruction in the Hungarian language. The supplementary text is ready for grades 5, 6 and 7 of schools with instruction in the Hungarian language. The teaching text presents both Slovak historic events and events from Hungarian history of a particular period. Textbooks approved by the Ministry of Education of the Slovak Republic are used in the instruction at secondary schools.

h):

See information under subparagraph f) point i.

i):

The Council for National Minority Education is an advisory body to the Minister of Education of the SR for the efforts in fulfilling the tasks resulting from the Manifesto of the Government of the Slovak Republic for the period 2006 to 2010 in the field of education at schools and school facilities, their management, financing and in the area of state administration in the regional education system.

The Slovak Republic has also a Council of the Government of the Slovak Republic for National Minorities and established Ethnic Groups.

## Article 9 – Judicial Authorities

### Paragraphs and Sub-paragraphs chosen:

*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:*

*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*

*b) in civil proceedings:*

*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,*

*c) in proceedings before courts concerning administrative matters:*

*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,*



*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*

**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.**

**Measures adopted to ensure the implementation of Charter provisions:**

In respect of the use of regional or minority languages in proceedings before courts, the valid legal order complies with Article 47 of the Constitution of the Slovak Republic, and goes beyond the scope of the selected Charter articles. Slovak legislation in force meets the terms of the obligations under the Charter to which the Slovak Republic committed itself, and therefore there is no need to amend the legislation. In practice, the relevant valid and effective legislation does not restrict the right to use regional or minority languages in court proceedings. The Ministry of Justice of the Slovak Republic is not aware of any case in the work of the courts where a party to proceedings would fail to refer to his/her right to use a regional or minority language. A table on the application of relevant provisions of the Civil Procedure Code and of the Criminal Procedure Code by the courts of the Slovak Republic is annexed.

Paragraph 1

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006 is the relevant law to criminal proceedings. The Criminal Procedure Code is in effect and it is applied in the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of Section 2 paragraph 20 of the Criminal Procedure Code: "If the accused, his/her legal guardian, victim, participating person or witness declares that he/she does not know the language of the proceedings he/she has the right to an interpreter and translator."

Under Section 28, paragraph 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter".

Under Section 28, paragraph 3 of the Criminal Procedure Code: "If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate".

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and decision after completion of pre-trial proceedings; i.e. in pre-trial proceedings,

when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is established only before the court that there is a person appearing who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.

iii:

Under Section 28, paragraph 1 of the Criminal Procedure Code: “If the content of the statement needs to be interpreted, or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as the interpreter“. The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which are related to the crime or the accused and which are in a regional or minority language are translated in compliance with Section 28 paragraph 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. the Civil Procedure Code as amended (hereinafter “ the Civil Procedure Code”) is the relevant legal provision with respect to these commitments. Under Section 18 of the Civil Procedure Code: “In civil proceedings, the parties shall have an equal status. They have the right to use their mother tongue or the official language of the state, understood by them, before a court. The court shall have the obligation to ensure for them equal possibilities for the exercise of their rights“.

Under Section 141, paragraph 2 of the Civil Procedure Code: “Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

With respect to the Hungarian language, the relevant judicial decision-making practice shows that in most cases the reason for assigning an interpreter was a request on grounds that the party’s mother tongue was the Hungarian language, in which he/she was able to express himself/herself better, even though the party to proceedings had command of the Slovak language. Judicial practice in civil proceedings also shows that judges mostly establish poor command of the Slovak language as late as the first hearing and therefore they assign an interpreter by ruling, adjourn the hearing and summon the interpreter to appear at the next hearing and, after performing the interpretation, to charge an interpreter’s fee. There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter. In some cases, interpreting was provided by the judge conducting the hearing, who had command of the Hungarian language, or the assistant according to the Business and Office Rules. When written materials needed to

be translated, the court assigned an interpreter-translator. The Slovak Republic encountered no difficulty with the application of this obligation.

iii:

The effective legal order of the Slovak Republic allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense. Thus, it fully respects the pertinent provision of the Charter.

c) ii:

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code, which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to appear in person before a court, and to use one's mother tongue, apply *mutatis mutandis* to court proceedings in administrative cases.

iii:

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense in the same way as in civil court proceedings. Thus, the pertinent provision of the Charter is fully respected.

d):

The costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrative proceedings are borne by the State.

Paragraph 2:

In respect of the commitment of the Slovak Republic not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language, it is necessary to stress that the documents concerned can only be applications, motions, petitions, requests and the like executed by natural or legal persons. This statement derives mainly from Article 6 of the Constitution of the Slovak Republic and Article 7 of the State Language Act according to which state authorities of the Slovak Republic issue their decisions in the state language. Hence, it is impossible that a legal document drafted by a state authority be in a language other than Slovak, except for those decisions of state administration that are issued within the meaning of the National Minority Language Act. According to this Act, state administration authorities and bodies of territorial self-governments may also issue a decision in the minority language, in addition to the Slovak language, on request. However, this applies only to municipalities where at least 20% of the population are persons belonging to the relevant national minority. It is necessary to note that these decisions are issued in the Slovak language; the minority language version is only made on request. This means that in court proceedings, the parties cannot submit a decision made by a state authority only in the minority language.

Building on this observation, we conclude that in case of submission of these documents (e.g. motions, contracts, testaments, authorisations, etc.) in regional or minority languages by natural or legal persons in court proceedings, the validity of these documents is not denied a

priori. After legal assessment of the importance or relevance of the submitted legal document substantiated by the submitting party, the court will request translation of such document with the intention to learn the facts mentioned in it, to make an assessment and then to take a decision.

Paragraph 3:

Most of the laws which directly implement constitutional rights of persons belonging to a national minority have already been translated into the Hungarian language (e.g. act No. 184/1999 Coll. on the use of languages of national minorities, Act No. 84/1990 Coll. on the right of association of citizens, as amended, Act No. 270/1995 Coll., on the state language, Act No. 131/2002 Coll. on higher education, as amended, Act No. 29/1984 Coll. on the system of primary and secondary schools, as amended, (the School Act), etc. Publications with translations of selected legal provisions of the Slovak Republic in the Hungarian language (e.g. OLAH, Jozef at al., Dokumenty – Zborník medzinárodných dohôd, vyhlásení a zákonov SR o právach národnostných menšín, časť I. a II. Documents – Collection of international agreements, declarations and laws of the Slovak Republic on national minority rights Part I and II) are also available to the public.

#### **Article 10 – Administrative authorities and public services**

##### **Paragraphs and Sub-paragraphs chosen:**

*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) 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*

*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;*

*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:*

*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 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) translation or interpretation as may be required;*

*c) to allow users of regional or minority languages to submit a request in these languages.*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) ii:

Act No. 184/1999 Coll. on the use of languages of national minorities also lays down the rules for minority language usage in official communication. The use of the Hungarian language in official communication is possible in municipalities where persons belonging to the Hungarian national minority form at least 20% of the population, according to the most recent census of population.

Public authorities and their officers have the obligation to use the state language in official communication, and they may also use the minority language under conditions laid down in this law. In such municipalities, public authorities have the obligation to create conditions for the use of the minority language according to Act No. 184/1999 Coll. on the use of languages of national minorities, and according to special laws. In respect of Act No. 184/1999 Coll., the Ministry of the Interior of the Slovak Republic – Public Administration Section issued as part of its Operational Guidelines for Regional and District Authorities:

- Volume 1999 Part 12 of 9 September 1999 “Guidelines for use of national minority languages in official communication for the sections of general internal administration, sole proprietors and fire protection”.

- Volume 2000 Part 10 of 10 May 2000 “Guidelines for the use of name plates on buildings of state administration authorities in minority languages” and “Guidelines for the use of name plates on buildings of public authorities in minority languages, of 4 May 2001 No. 203-2001/05692”.

Act No. 254/2007 Coll. on the abolition of regional offices and on the amendment to Act No. 515/2003 Coll. on regional offices and district offices, and on the amendment to certain laws in the wording of Finding of the Constitutional Court of the Slovak Republic No. 263/2006 Coll., in force since 1 October 2007, abolished regional authorities as the second instance local state administration authority under the competence of the Ministry of the Interior of the Slovak Republic. By this law, 50 district offices remained in place as the first instance local state administration authority. According to the census of population carried out in the territory of the Slovak Republic, district offices are located in 10 municipalities where the number of persons reporting Hungarian nationality exceeded 20%.

The officers of these district offices usually have command of the Hungarian language, and they use this language in communication with persons who apply to them in the Hungarian language. The same may also be said about the police force. In areas where the majority of the population speaks Hungarian, police officers and civilian staff have command of the Hungarian language. When requested, communication can also be conducted in the Hungarian language. Most registrars in linguistically mixed areas also know the Hungarian language in addition to the official language. In these territories, some registrars (approx 10%) are of Hungarian nationality. Civil marriage ceremonies are performed bilingually in linguistically mixed territories.

In territories with significant presence of persons belonging to national minorities, specialised state administration authorities (e.g. district environment offices, etc.) have officers who are able to communicate with them in personal communication and to give information in the language used by this national minority. The district environment offices at Rimavská Sobota, Senec, Košice, Rožňava, Komárno, Levice and Nové Zámky can be mentioned as examples for the use of the Hungarian language.

Paragraph 2:

a):

According to Section 2 paragraph 1 of Act No. 184/1999 Coll. on the use of languages of national minorities, when persons who belong to a national minority form at least 20% of the population of a municipality according to the latest census of population, they may use their minority language in official communication in this municipality. The list of such municipalities is laid down by Ordinance of the Government No. 221/1999 Coll., Issuing the list of municipalities in which nationals of the Slovak Republic belonging to a national minority represent at least 20 % of the population.

According to this Ordinance, the Hungarian language may be used in official communication in 512 municipalities. The officers of authorities in these municipalities usually have command of the Hungarian language, and this language is used in communication with persons who apply to them in the Hungarian language. In these municipalities, nameplates on buildings of public authorities are also made in the minority language, i.e. in this case, in the Hungarian language.

b):

According to Section 2 paragraph 3 of Act No. 184/1999 Coll. on the use of languages of national minorities, persons belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government bodies (hereinafter referred to as “the public authority”) also in a minority language in municipalities where persons belonging to the relevant national minority form at least 20% of the population according to the latest census of population. As regards the Hungarian language, this right may be exercised in 512 municipalities.

In these municipalities, public authorities give citizens those official forms issued under their competence in the state language, and on request also in the minority language, i.e. in the Hungarian language.

According to Section 2 paragraph 4, decisions by public authorities in administrative proceedings conducted in municipalities complying with the criterion under Act No. 184/1999 Coll. on the use of languages of national minorities, are also issued in a minority language version, in addition to the document in the state language. In case of doubt, the text of the decision in the state language prevails.

c), d):

In municipalities where persons belonging to a national minority form at least 20% of the population according to the latest census of population, important information, mainly warnings, notices and health-related communications, is displayed in both the state and minority languages in public places. In such municipalities, public authorities also provide information concerning generally binding regulations under their competence in the minority language upon request.

Under Act No. 211/2000 Coll. on free access to information, and on the amendment and supplement to certain acts, liable persons are obliged to publish information also in the minority language, according to Act No. 184/1999 Coll. on the use of languages of national minorities, in those municipalities defined in this law.

f):

According to Section 3 paragraph 1 of Act No. 184/1999 Coll. on the use of languages of national minorities, sessions of the public authority in a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also be held in the minority language if all persons present agree. A member of the municipal assembly in such municipalities has the right to use the minority language during the sessions of this body. Interpretation is provided by the municipality. The chronicle of such a municipality may be also written in the minority language.

g):

The issue of displaying traditional local names in the minority language is regulated by Act No. 191/1994 Coll. on names of municipalities in minority languages. This law stipulates that “municipalities in which persons belonging to a national minority form at least 20% of the population shall have their name in the minority language placed on separate traffic signs marking the beginning and the end of the municipality”. Local public authorities complied with the obligation and municipalities where 20% of the population are persons belonging to a national minority have such nameplates in the respective minority language.

Under Act No. 184/1999 Coll. on the use of languages of national minorities (Section 4 paragraph 1), a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also have street name plates and other local geographic names in the minority language.

Paragraph 3:

b), c):

This obligation resulting from the Charter is complied with by Act No. 184/1999 Coll. on the use of languages of national minorities, in particular Section 2 paragraph 3: “Nationals of the Slovak Republic who are persons belonging to national minority have the right to file written applications to state administration authorities and territorial self-government bodies (hereinafter referred to as “the public authority”) also in the minority language in a municipality referred to in paragraph 1. The public authority in the municipality referred to in paragraph 1 shall also reply in the minority language, in addition to the state language, except for public deeds.“

Under Act No. 564/2001 Coll. on the Public Defender of Rights (Ombudsman), as amended, persons filing submissions may use their mother tongue in communication with the Ombudsman. Provisions of Section 11 paragraph 2 of the above law read: “Natural persons may use their mother tongue in their communication with the Public Defender of Rights. The costs of interpretation shall be borne by the state”. The Public Defender of Rights Act makes it possible to use these languages in communication with the Public Defender of Rights even outside districts that reach the 20% threshold of population claiming a national minority origin.

In order to simplify and speed up the reviewing of submissions by the Public Defender of Rights, the Office of the Public Defender of Rights has prepared a submission form meeting all substantive particulars of the submission prescribed by law. This form has been translated into the languages of all national minorities in the Slovak Republic that are covered by the ratified provisions of the Charter, i. e. also into the Hungarian language. The Office distributes forms for filing submissions as a part of its activities,<sup>3</sup> and these forms are also published on the portal of the Public Defender of Rights, [www.vop.gov.sk](http://www.vop.gov.sk), which offers the option of direct electronic submission. In case of submissions in a language other than Slovak, the Office of the Public Defender of Rights also arranges the translation of the answer into the language of the submission, or into other language if so requested in the submission. Since 2002, when the first Public Defender of Rights was elected in the Slovak Republic, 183 submissions have been filed in the Hungarian language.

Paragraph 4:

a):

Public authorities in a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population have the obligation to create conditions for the use of that minority language according to Act No. 184/1999 Coll. on the use of languages of national minorities, and special laws.

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<sup>3</sup> e.g. distribution of forms to regional points of the Public defender of Rights within Slovak Republic, which register inhabitants declaring national minority origin and which are established by the Public Defender of Rights out of his own initiative



Under Act No. 154/1994 Coll. on register offices (Section 13 paragraph 4), “when notifying a birth orally, the notifying persons is required to produce his/her identity papers. If the notifying person has a speech and/or hearing impairment or the notification is made in a language the registrar has no command of, an interpreter is needed; when this interpreter is not an officially appointed interpreter, the interpreter must give an oath prescribed in a separate regulation to the registrar before whom he/she appears as interpreter. Information about interpretation and the interpreter are entered in the book of births“. In practice, translations and interpretation in institutions providing public services are usually performed by those officers who have command of the minority language, and their clients may use this language.

c):

The employees of these offices have command of the pertinent minority language.

Paragraph 5:

Act No. 300/1993 Coll. on names and surnames, as amended, Act No. 154/1994 Coll. on Register Offices as amended are the relevant pieces of legislation with respect of this commitment.

Under Act No. 300/1993 Coll. on names and surnames, as amended, every person must have a surname. At birth, a national of the Slovak Republic acquires the common surname of the parents or, if they have different surnames, the surname of one of them, as agreed at the time of entering into marriage or, when the parents are not married and have different surnames, a surname is given according to the agreement reached by the parents. Such agreement is possible only with respect to one of the surnames of the parents at the time when the agreement was reached. In official communication, nationals of the Slovak Republic use the surname given under this law, under previous legal provisions or when entering into marriage in the form and sequence entered in the register in the book of births or the book of marriages.

Under Act No. 154/1994 Coll. on register offices (Section 16), the surname of a female person of a nationality other than Slovak is entered without the Slovak female inflection,

- a) at the parents’ request when entering the surname of their female child in the book of births under Section 1 paragraph 1, or when adoptive parents do so, according to special regulation
- b) at the woman's request, when her marriage is entered in the book of marriages, according to Section 14
- c) at the woman’s request, in respect of entering a decision on change of surname, according to a separate law

The surname of a woman will be entered in her birth certificate or marriage certificate without the Slovak female inflection at her written request, and this fact is entered in the register. All subsequent official extracts and statements of data entered in the register are made with this form of the surname. A written application according to the first clause is filed in the collection of deeds (Section 19 paragraph 6 of Act No. 154/1994 Coll. on register offices, as amended).

Provisions of the special law on the change of the form of the name and surname do not apply to entering the change of the form of the name and surname according to Section 19

paragraphs 3, 4 and 6 in the official extract, and this action is not subject to the obligation of paying charges as provided under special law. Names and surnames are entered in the register and its extracts in the Roman alphabet (Section 36 of Act No. 154/1994 Coll. on register offices, as amended).

## Article 11 – Media

### Paragraphs and Sub-paragraphs chosen:

*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:*

*iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;*

*b) ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

*c) 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*

*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*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) iii:

Act No. 16/2004 Coll. on Slovak Television, as amended, and Act No. 619/2003Z Coll. on Slovak Radio, as amended, are the relevant pieces of legislation with respect to minority language broadcasting in public media in the Slovak Republic. Provisions of these laws guarantee broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic; public media may establish separate organisational units to ensure the production and broadcasting of programmes for national minorities and ethnic groups. Very good conditions for the application of the selected provisions of the European Charter for Regional or Minority Languages, comparable with the standards in other EU Member States, have been created in the area of broadcasting provided by public television and radio.

**Slovak Radio** is a public, national, independent, information, cultural and educational institution providing services to the public in the field of radio broadcasting. The main activities of Slovak Radio cover broadcasting of public interest programmes, including minority language programmes, with well-balanced content and regional distribution as an integral dimension, and with a majority proportion in the broadcasting structure. In this way, Slovak Radio fulfils its mission of promoting the cultural identity of all inhabitants of the Slovak Republic.

Slovak Radio broadcasts programmes for national minorities and ethnic groups living in the territory of the Slovak Republic on its **Radio Patria** channel. Since it was put on the air in 2000, Radio Patria covers broadcasting for Hungarian listeners and those of other minority languages – Ruthenian, Ukrainian, Polish, Czech, German and Romany.

The new broadcasting structure of Slovak, in effect since 1 February 2007, introduced extensive changes in Radio Patria, which has become the radio for all national minority programmes in terms of its organisation and programmes, because the programmes in individual minority languages are now broadcast from one station.

The Ministry of Culture of the Slovak Republic initiated a proposal to allocate specifically dedicated funds to Slovak Radio for 2007 from the budget of the Ministry of Culture of the Slovak Republic, which was submitted to a session of the Government of the Slovak Republic. In October 2007, the Government of the Slovak Republic decided to allocate funds to the Ministry of Culture, specifically dedicated for Slovak Radio broadcasting of programmes in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic, to a total amount of SKK 45,400,000, in order to ensure compliance with the above tasks and the mission of Slovak Radio.

In 2006, Radio Patria broadcast 2,986 hours of programmes in the Hungarian language, out of which 2,682 hours (89.8%) were first time broadcasts and 304 hours (10.2%) were repeats. In 2006, broadcasting in the Hungarian language represented 77.3% of the total duration of Slovak Radio broadcasting in all minority languages.

**Distribution of genres in broadcasting of the Hungarian programmes unit (in %):**

News	11.9
Sports	1.5
Current events	13.1
General interest	24.4
Education	2.4
Religion	2.0
Literature, humour	5.2
Drama	0.2
Music	39.3
Total	100

Radio Patria can be tuned into on MW from these transmitters: Nitra 1098 kHz, Rimavská Sobota 1017 kHz, Prešov 702 kHz.

The Hungarian unit broadcasts eight hours of programmes every day on medium wave (on working days from 10:00 – 18:00 hrs., on Saturdays and Sundays from 7:00 – 15:00 hrs.). The Hungarian unit has no specific target group of listeners. Broadcasting is intended for all social and age groups which have command of the language of the programme – Hungarian. Programmes like Denná kronika (Daily Chronicle) or Z týždňa na týždeň (From One Week to the Next) present current home and international political information in news programmes, commentaries, interviews. The Deň čo deň (Every Day) programme broadcasts present journalistic views on themes from everyday life - as indicated by the name. The choice of programmes is exceptionally rich. Its structure includes literature, culture, science, religion and youth programmes. Broadcasting has also covered Roma issues, medicine, ecology and all music genres. Listeners regularly have participated in contact programmes Hráme na želanie (Music You Wish), Burza (Exchange), Hra (Game), Ako sa vám darí (How are you doing) and the Na poludnie (High Noon) talk show to express their views on a range of issues. Broadcasting priorities are information from the spheres of politics, economy, and sports, and from the specific regions of Slovakia where persons belonging to the Hungarian minority live.

**Programme structure of Radio Patria – broadcasting in Hungarian language**

**Monday:**

- 10:00 - 10:05 Signal of Hungarian broadcasting, News
- 10:05 - 10:35 World of Culture/World of Science - reprise
- 10:30 - 11:05 Téka – literary programme – reprise
- 11:05 - 11:45 Light – religious programme – reprise
- 11:45 - 11:55 Reporting programme of Radio Vatican – reprise
- 11:55 - 12:00 Music
- 12:00 - 12:30 Daily Chronicle + Sport
- 12:30 - 13:30 Music You Wish
- 13:30 - 14:00 Historical Calendar, Weather, What to cook today, What the day brings
- 14:00 - 14:13 News + Sport
- 14:13 - 14:25 Money, Market, Economy – economic programme

14:25 - 14:30 Music  
14:30 - 15:00 Roma Magazine - Ladička – programme about serious music  
15:00 - 15:05 News  
15:05 - 15:06 Content of the programme  
15:06 - 15:20 Continued reading  
15:20 - 16:00 Rambling microphone, How are you doing - interviews  
16:00 - 16:05 News  
16:05 - 16:55 Topic of the day  
16:55 - 17:00 Daily Chronicle  
17:00 - 17:29 Exchange, Game – programme  
17:29 - 17:30 Hungarian correctly  
17:30 - 18:00 Daily Chronicle + Sport

**Tuesday:**

10:00 - 10:05 Signal of Hungarian broadcasting, News  
10:05 - 10:25 Music of nations - reprise  
10:25 - 10:55 Roma magazine / Ladička / Selection of radio archive  
10:55 - 11:00 Music  
10:55 - 12:00 Kaleidoskop – reprise + music  
12:00 - 12:30 Daily chronicle – news + sport  
12:30 - 13:30 Music You wish  
13:30 - 14:00 Historical Calendar, Weather, What to cook today  
14:00 - 14:05 News  
14:05 - 14:30 Pop - mix  
14:30 - 15:00 Artforum / Radio Clinic/ Casino / Green Point  
15:00 - 15:05 News  
15:05 - 15:06 Content of the programme  
15:06 - 15:20 Continued reading  
15:20 - 16:00 Rambling microphone, How are you doing – interviews  
16:00 - 16:05 News  
16:05 - 16:55 Topic of the day  
16:55 - 17:00 Content of Daily Chronicle, content of Új Szó  
17:00 - 17:29 Exchange, Game  
17:29 - 17:30 Hungarian correctly  
17:30 - 18:00 Daily Chronicle + Sport

**Wednesday:**

10:00 - 10:05 Signal of Hungarian broadcasting, News  
10:05 - 10:35 Artforum / Radio Clinic/Casino / Green Point – reprise  
10:35 - 11:00 Pop - mix - reprise  
11:00 - 12:00 Signál – Central-european nationality magazine - reprise  
12:00 - 12:30 Daily Chronicle – news + sport  
12:30 - 13:30 Music You wish  
13:30 - 14:00 Historical Calendar, Weather, What to cook  
14:00 - 14:05 News  
14:05 - 15:00 Line – magazine for youth/Famous Bratislava musicians/Line/I speak to you – discussion  
15:00 - 15:05 News  
15:05 - 15:06 Content of the programme

15:06 - 15:20 Continued reading  
15:20 - 16:00 Rambling microphone, How are you doing – interviews  
16:00 - 16:05 News  
16:05 - 16:55 Topic of the day  
16:55 - 17:00 Content of the Daily Chronicle, Content of Új Szó  
17:00 - 17:29 Exchange, Game  
17:29 - 17:30 Hungarian correctly  
17:30 - 18:00 Daily Chronicle + Sport

**Thursday:**

10:00 - 10:05 Signal of Hungarian broadcasting, News  
10:05 - 11:00 Line/ Famous Bratislava musicians/ I speak to you – reprise  
11:00 - 12:00 Lunch time - reprise  
12:00 - 12:30 Daily Chronicle – News + Sport  
12:30 - 13:30 Music You Wish  
13:30 - 14:00 Historical Calendar, Weather, What to cook today, What the day brings  
14:00 - 14:05 News  
14:05 - 14:30 Clip – music programme  
14:30 - 15:00 Attraction/ On the way/Forum of Education/Autumn Time  
15:00 - 15:05 News  
15:05 - 15:06 Content of the Programme  
15:06 - 15:20 Continued Reading  
15:20 - 16:00 Rambling microphone, How are you doing – interviews  
16:00 - 16:05 News  
16:05 - 16:55 Topic of the day  
16:55 - 17:00 Content of the Daily Chronicle, content of Új Szó  
17:00 - 17:29 Exchange, Game  
17:29 - 17:30 Hungarian correctly  
17:30 - 18:00 Daily Chronicle

**Friday:**

10:00 - 10:05 Signal of Hungarian broadcasting, News  
10:05 - 10:35 Music Gallery/ Who knows, writes, Offer of music editor/Programme about Opera  
10:35 - 11:05 Attraction/On the way/Forum of Education/Autumn Time – reprise  
11:05 - 11:50 On the wave of hits - reprise  
11:50 - 12:00 Review of the weekend programmes  
12:00 - 12:30 Daily Chronicle – News + Sport  
12:30 - 13:30 Music You Wish  
13:30 - 14:00 Historical Calendar, What to cook today/What the day brings  
14:00 - 14:05 News  
14:05 - 15:00 Cultural News: films, theatre, exhibitions – programme for the weekend, News about Csemadok programme  
15:00 - 15:05 News  
15:05 - 15:06 Content of the programme  
15:06 - 15:20 Continued reading  
15:20 - 16:00 Rambling microphone/How are you doing – interviews  
16:00 - 16:05 News  
16:05 - 16:55 Topic of the day  
16:55 - 17:00 Content of Daily Chronicle, Content of Új Szó

17:00 - 17:29 Exchange, Game  
17:29 - 17:30 Hungarian correctly  
17:30 - 18:00 Daily Chronicle + Sport

**Saturday:**

7:00 - 7:15 Signal of Hungarian broadcasting, News, Sport, Programme Review  
7:15 - 8:00 On the Wave of Hits  
8:00 - 9:00 Signal – Central-european nationality magazine  
9:00 - 11:00 From one week to another one – Summary of domestic and foreign politics  
11:00 - 12:00 Lunchtime – discussion  
12:00 - 12:10 Bells, News, Sport, Programme Review  
12:10 - 12:30 Music of Nations  
12:30 - 13:00 Téka  
13:00 - 14:40 Music Programme  
14:40 - 15:00 End of broadcasting: Neews, Sport, review of Sunday Programme

**Sunday:**

7:00 - 7:10 Signal of Patria Radio and signal of Hungarian broadcasting, News, Sport, Programme Review  
7:10 - 7:50 Light – religious programme  
7:50 - 8:00 Programme of Vatican Radio  
8:00 - 8:30 Serious music  
8:30 - 9:30 Kaleidoskop  
9:30 - 10:00 Music Gallery/Who knows, writes/ Offer of music editor/Programme about Opera – programme about serious music  
10:00 - 12:00 Randevű – music programme for young people  
12:00 - 12:05 Bells – news  
12:05 - 12:30 Bunch of Hungarian songs  
12:30 - 13:00 World of Culture/ World of Science – magazine  
13:00 - 14:40 Music programme  
14:40 - 15:00 End of broadcasting: News, Sport, Regions, Programme Review

Since September 2004, **Slovak Television** regularly broadcasts four basic types of minority programmes, three of them for members of the Hungarian national minority. In 2006, the volume of Hungarian broadcasting was 139,83 hours, which is 64.04% of the total time of broadcasting in minority languages at Slovak Television. The minority broadcasting unit at Slovak Television prepares three basic types of cyclical programmes in the Hungarian language:

- **News – Hírek:** daily news coverage with an emphasis on recent events in the regions, broadcast on working days (five minute programmes on Mondays – Fridays from 19:20 hours.)
- **Mad'arský magazín - Hungarian Magazine:** events coverage broadcast weekly (Wednesday at 16:30 hrs.) for 26 minutes
- **Terítéken – On the Plate:** discussion programme broadcast bi-weekly (Wednesday at 21:50 hrs.) for 60 minutes.

b) ii:

The Constitution of the Slovak Republic provides in Article 34 paragraph 1 that “citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed

their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, [and] to establish and maintain educational and cultural institutions."

Act No. 308/2000 Coll. on broadcasting and retransmission, and on amending Act No. 195/2000 Coll. on telecommunications, as amended, guarantees the right to free and independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within its scope of legislation. This law makes it possible for the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within its scope of legislation.

In the territory of the Slovak Republic, radio signals can be received from several radio stations (public and private) from neighbouring countries, i.e. in the Hungarian language from Hungary.

c) ii:

In the Slovak Republic, 116 licence holders currently provide television broadcasting, of which 18 in the Hungarian language. These are local television stations broadcasting in ethnically mixed municipalities and towns in southern Slovakia. According to statistical surveys, on the basis of the programme services on offer, some 33% of households make use of services for retransmission of programmes from the so-called kin countries. In the territory of the Slovak Republic, television signals can be received from several television stations (public and private) from neighbouring countries, i.e. in the Hungarian language from Hungary.

d):

In addition to the above legal provisions concerning media, the relevant legislation in respect of the implementation of this commitment also includes Act No. 220/2007 Coll. on digital broadcasting of programme services and on provision of other content services through digital transmission, and on amendments to several acts (the Digital Broadcasting Act), effective from 31 May 2007. This law liberalises the authorisation scheme for television and radio broadcasting, and creates room for the creation of new platforms for the provision of on-line services (e.g. e-government, e-learning, e-culture and the like). The register of digital terrestrial services is based on an approach to content different from the programme service; the register of content services providers is a hot-line alternative in the meaning of Council of Europe Recommendation (2001) 8.

Act No. 343/2007 Coll. on conditions of registration, public broadcasting and preservation of audiovisual works, multimedia works and sound recordings of artistic performances, and on the change of and amendment to some laws, (hereinafter the "Audiovisual Act"), came into effect on 1 January 2008. Under Section 17 paragraph 4, this law provides for the possibility of presenting audio-visual works also in the original language, except for performances for minors under 12 years of age in time slots appropriate for such minors. This approach has opened more room for audiovisual works presentation in the languages of national minorities.

e) i:

Act No. 81/1966 Coll. on periodical press and other mass media, as amended, is a general legal provision not limited to publishing of periodical press in national minority languages.



On the other hand, it does not contain any specific provisions concerning periodical or non-periodical press of national minorities and ethnic groups.

In the Slovak Republic, the publication of periodical and non-periodical press in the languages of national minorities and ethnic groups is supported through state subsidies provided by means of the grant system of the Ministry of Culture of the Slovak Republic.

In the field of **periodical literature**, the grant scheme of the Ministry of Culture is the vehicle for support of culture pages and supplements in newspapers and journals, as well as periodicals covering the cultural life of the Hungarian national minority, journals relating to literature, art sciences, art reviews and student, university journals and magazines for children.

**Number of titles and financial volume of support to periodicals in the Hungarian language:**

Year	Number of titles	Financial volume of support (SKK)
2005	23	11 898 000
2006	27	18 290 000
2007	25	9 280 000

The Ministry of Culture of the Slovak Republic supported in the year 2007 the following titles of periodicals: Atelier, Dunatáj, Fórum, Gömörország, Itthon, Irodalmi szemle, Jó gazda, Kalligram, Kassai Figyelő, Katedra, Kulisszák, Kürtös, Literárny Dunatáj, Partitúra, Régió, Szabad Újság, Szőrös Kő, Tábornút, Tücsök, Új Nő, Új Szó, Vasárnap, Žitný ostrov, Eruditio-Educatio, Pedagógus fórum.

The volume of support of the Ministry of Culture of the Slovak Republic for daily periodical “Új Szó” was 1 000 000,-SKK in the year 2007.

f, i):

The Ministry of Culture of the Slovak Republic has drafted an effective, impartial and transparent procedure for granting funds from the dedicated transfer from the Ministry of Culture to the culture of individual national minorities. Individual national minorities are allocated dedicated funds for cultural activities and for periodical and non-periodical press through the Ministry of Culture’s grant scheme. This meets the requirements for the fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since national minorities and ethnic groups are given room to develop and use their own language as the bearer of their cultural heritage and preservation of their linguistic identity. In 2007, the Ministry of Culture of the Slovak Republic allocated through its grant scheme the amount of SKK 51,562,000 to the Hungarian minority culture.

Another significant step forward occurred in the 2008 grant scheme on the Culture of National Minorities. In 2008, the Ministry of Culture of the Slovak Republic has more funds available for the grant scheme on the Culture of National Minorities, the electronic registration processes has become more transparent and simpler, the internal application handling procedure from the time of application filing to grant of funds to individual applicants has been shortened, and a more detailed structure of the programmes ensuring more conceptual preparation, processing and work of technical commissions has been drafted, hence, a higher satisfaction of applicants for grants should be achieved, the application

electronic registration system has been improved – all forms are now available in electronic form, the number of eligible items in the budgets has been increased, and all technical grant commissions were given a special code, which gives the members of individual commissions a period of two months to study the projects, which made their decision-making more professional, conceptual and fairer.

Paragraph 2:

In the territory of the Slovak Republic, television and radio signals from several television and radio stations (public and private) from neighbouring countries can be received. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.

Paragraph 3:

The Slovak Television Council and the Slovak Radio Council are the competent bodies to approve broadcasting concepts and plans also in respect of ensuring broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups.

**The Slovak Television Council** is the body which exercises the right of the public to control the activities of Slovak Television. The Council is composed of 15 members elected by the National Council from a list of candidates for membership in the Council nominated by the relevant committee of the National Council. Nominations of candidates are submitted to the relevant committee by members of parliament or legal entities working under a special regulation in the field of audio-video, mass media, culture, science, education, development and protection of spiritual values, human rights, the environment, health protection representing the interests of national minorities or ethnic groups, other minorities and registered churches and religious societies.

**The Slovak Radio Council** is composed of 15 members elected by the National Council from a list of candidates for membership in the Council. Candidates are nominated by the relevant committee of the National Council. Nominations of candidates are submitted to the relevant committee by members of parliament or legal entities working under a special regulation in the field of radio production, mass media, culture, science, education, development and protection of spiritual values, human rights, the environment, health protection representing the interests of national minorities or ethnic groups, other minorities and registered churches and religious societies.

To complete the picture, we note that all topical questions concerning minority languages including media are discussed at the level of the Council of the Government for National Minorities and Ethnic Groups, in which all national minorities living in the Slovak Republic are represented. The Council is an advisory and coordinating body to the Government of the Slovak Republic for the national minority policies and the Implementation of the European Charter for Regional or Minority Languages.

## Article 12 – Cultural Activities and Facilities

### Paragraphs and Sub-paragraphs chosen:

*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;*

*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.*

### Measures adopted to ensure the implementation of Charter provisions:

The Ministry of Culture of the Slovak Republic carries out tasks of state administration in the field of culture of national minorities, in compliance with the Policy Statement of the

Government of the Slovak Republic for the period 2006 to 2010, generally legally-binding regulations, the Constitution of the Slovak Republic, the laws of the Slovak Republic and adopted international instruments. The organisational unit of the Ministry of Culture of the Slovak Republic for the relevant area is the Section for Minority and Regional Cultures.

The Directorate for Minority and Regional Cultures has developed an effective cooperation with organisations of 12 national minorities living in the Slovak Republic in a broad spectrum of activities. Political, organisational and financial support of their activities in the field of sustaining and fostering culture of national minorities and ethnic groups also ensures the free use of their languages and respect for common specific features and values. The cultures of national minorities in the Slovak Republic are promoted by the issue of periodical and non-periodical print media for persons belonging to national minorities, through state theatres giving performances in the minority languages, state museums presenting minority issues, civil associations promoting all 12 minority cultures, the activities of the professional folk ensemble Young Hearts – Ifjú Szívek of the Hungarian minority in Slovakia, regional education centres, regional and district libraries and broadcasting in the languages of national minorities in public media – Slovak Radio and Slovak Television.

In this context, the Section for Minority and Regional Cultures of the Ministry of Culture of the Slovak Republic has a systemic cooperation with central state administration authorities, NGOs, municipal governments, and international organisations promoting and preserving minority cultures and it provides policy-based funding from the state budget to civil associations, i.e. NGOs of all 12 national minorities living in the Slovak Republic.

The support to Culture of National Minorities provided through the Ministry of Culture of the Slovak Republic takes the following forms:

- publishing of periodical and non-periodical print media
- presentation of live culture of national minorities
- four professional national minority theatres
- eight national minority museums
- supporting activities of civil associations promoting the culture of all 12 national minorities
- the Hungarian minority professional folk ensemble Young Hearts – Ifjú Szívek
- regional educational centres and public libraries
- broadcasting in the languages of national minorities in public media – the Slovak Radio and the Slovak Television.

The Ministry of Culture has drafted an effective impartial and transparent procedure for granting funds from the dedicated transfer from the Ministry of Culture to the culture of individual national minorities in compliance with the Policy Statement of the Government of the Slovak Republic and its national minority policy.

**Basic elements of this system include:**

1/ Order of the Ministry of Culture of the Slovak Republic of 16 November 2007 No. MK-4601/2007-110/17430, amending Order of the Ministry of Culture of the Slovak Republic of 16 November 2005 No. MK-12947/05-110/30493 on granting subsidies within the competence of the Ministry of Culture of the Slovak Republic in the wording of the Order of the Ministry of Culture of the Slovak Republic of 28 March 2006 No. MK-2165/2006-110/6075.

2) Guideline of the Ministry of Culture of the Slovak Republic No. MK-1378/2008 – 10/4567 of 28 March 2008 on granting subsidies, that regulates the procedure by the Ministry of Culture of the Slovak Republic in granting subsidies from the budget chapter of the Ministry and its settlement.

3) Organisational rules and rules of procedure of the programme/subprogramme commissions of the Ministry of Culture grant scheme. These are tools that determine the competencies, process and conditions of decision-making on grants for projects submitted by individual national minority entities in individual commissions.

4/ Applications for support of projects from the area of cultural activities, periodical and non-periodical print-media. Each national minority submits structured applications for projects with validity for the whole calendar year.

In 2004, the Culture of National Minorities grant scheme underwent significant qualitative systemic changes. The first step was the abolishment of the single grant commission for all national minorities. The individual sub-commissions for individual national minorities were renamed into commissions for individual national minorities, and have become full-fledged advisory bodies to the Minister of Culture. In 2004, application processing and transfer of the subsidy to recipient's account was also speeded up. In 2004, the subprogramme on Culture of Disadvantaged Groups of the Population was created, under which civil associations caring for the development of cultural needs of citizens with disabilities and other marginalised groups (e.g. the Roma living in settlements) could apply for support. In 2004, eleven national minority commissions were joined by two new grant commissions – the commission for the culture of disadvantaged groups of population and the grant commission for the Russian national minority. In September 2003, representatives of the Russian national minority were co-opted onto the Council of the Government of the Slovak Republic for National Minorities and Ethnic Groups. In 2006, municipalities, higher territorial units and entities established by them were given the possibility to apply for support under some of the subprogrammes within the Culture of National Minorities grant scheme.

Another significant progress was achieved in the 2008 Culture of National Minorities grant scheme. The Section for Minority and Regional Cultures of the Ministry of Culture of the Slovak Republic has paid systemic attention to the development of minority cultures, in compliance with the competencies of the Ministry, and has created and maintained conditions for activities performed by entities promoting minority cultures. The Section has continuously searched for new possibilities of making the grant scheme more effective, with a view to ensuring a transparent, fair and stable system of financial support in the field of national minority cultural activities. In 2008, the Ministry of Culture of the Slovak Republic had more funds available for the Culture of National Minorities programme, electronic registration processes have become more transparent and simpler, the internal approval procedure of individual applications has become significantly faster, the time limits for application processing from the date of filing the application to allocating funds to individual applicants has been shortened, a more detailed structure of the programmes ensuring more conceptual preparation, processing and work of technical commissions has been drafted, hence, higher satisfaction of applicants for grants should be achieved, the application electronic registration system has been improved – all forms are now available in electronic form – the number of eligible items in the budgets have increased, and all technical grant commissions were given a special code, which gives the members of individual commissions a period of two months to

study the projects, which has made their decision-making more professional, conceptual and fairer.

#### **New subprogramme structure:**

The area of supported live culture for all national minorities is subdivided into support to art festivals and shows, folk activities and events, theatre activities, art contests, creative art workshops, childrens' and youth camps, exhibitions and literary activities.

In the field of periodical print media, the focus is on financial support to publishing of dailies, weeklies, monthlies and bi-monthlies, quarterlies, irregularly published press and support to electronic periodicals.

The support to non-periodical print media is directed to publishing of original works by national minority authors, translations of literature, support to social sciences literature, information bulletins of cities, towns and villages, and CDs.

A significant area of support covers presentation activities of individual national minorities toward the majority, with a view to education towards tolerance and multiculturalism, and prevention of all forms of racism and intolerance. Support is also given to technical seminars, research of culture of national minorities and production of national minority documentaries.

Dedicated funds for cultural activities, periodicals and non-periodicals are allocated to individual minorities through the grant scheme of the Ministry of Culture of the Slovak Republic. This meets the requirements for the fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since national minorities and ethnic groups are given room to foster and use their own language as the bearer of their cultural heritage and preservation of their linguistic identity

#### Paragraph 1

a):

The Slovak Republic promotes publishing of periodicals and non-periodical literature in the Hungarian language through the Ministry of Culture of the Slovak Republic.

In the field of **periodical literature**, the grant system of the Ministry of Culture is the vehicle to support culture pages and supplements to newspapers and journals as well as periodicals covering the cultural life of the Hungarian national minority, journals relating to literature, art sciences, art reviews and student, university journals and magazines for children. The division of the support to live culture, periodical and non-periodical print media is decided by the Hungarian grant commission. Detailed information on the number of titles and volume of funds given to periodicals in the Hungarian language is provided in Article 11 – Media.

The task of the grant scheme in the area of **non periodical literature** of national minorities is to support publishing activities and publications enhancing the identity of national minorities through original, fiction, technical, scientific literature and translations. The subsidy is also meant for bringing out audio recordings of national minority authors, where it should mainly be used to partially cover costs linked with the production of CD recordings.

**Number of titles and financial volume of support to non-periodical literature in the Hungarian language:**

Year	Number of titles	Financial volume of support (SKK)
2005	123	15 366 000
2006	148	20 185 000
2007	114	12 120 000

Archiving of periodical and non-periodical print media in national minority languages is regulated in Act No. 212/1997 Coll. on Free Copies of Periodicals, Non-Periodicals and Audiovisual Copies, as amended.

Expressions and characteristic features of the Hungarian language are also fostered by the Ministry of Culture of the Slovak Republic through two Hungarian national minority theatres (the Thália Theatre in Košice and the Jókai Theatre in Komárno), through the Múzeum kultúry Maďarov na Slovensku (Museum of the Culture of the Hungarians in Slovakia) and through the Ifjú Szivek – Young Hearts Hungarian ensemble.

The Museum of the Culture of the Hungarians in Slovakia is a specialised museum of the Slovak National Museum, with a country-wide competence, that specialises in the history and culture of the Hungarians in Slovakia. The mission of the museum is to purposefully acquire, protect, scientifically and technically process and make available museum collections and funds documenting the history and development of material and spiritual culture of the Hungarian ethnic group in Slovakia. The seat and exposition of the museum are in Bratislava. The museum has also expositions at Dolná Strehová and Sklabiňa.

b):

The production of cultural expressions in regional or minority languages is approached in several ways. Translations of works in regional or minority languages into the Slovak language using the grants from the Art grant scheme of the Ministry of Culture of the Slovak Republic, which is a subprogramme targeted to publishing translations of belles-lettres and translations of scientific literature in arts and social sciences, is the first approach. The Kaligram publishing house is one of the most important publishing houses of translations of literary works in regional or minority languages receiving support under this grant scheme. Support to cultural production in regional or minority languages also takes the form of theatre plays, performances in theatres, and exhibitions presenting national minorities in museums and galleries, e.g. in the exhibition rooms of the Dom umenia Národného osvetového centra – the House of Arts of the National Education Centre in Bratislava.

c):

Access to works in other than regional or minority languages is provided by aiding and developing translation activities. Through its grant scheme, the Ministry of Culture of the Slovak Republic channels significant amounts of funds to the support of publishing and publication activities of the Hungarian national minority publishing houses for publishing translations of literature in the Hungarian language. See answer 1. a).

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the strategy in the field of minority cultures is to have by 2010 written information (descriptions) on the exhibited collection

items, other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and, in the case of specialised expositions, in the minority languages in addition to the state and English languages.

d):

In December 2006, the Government of the Slovak Republic approved the Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The policy includes the task to fully prepare and start installations of standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities and ethnic groups, by 2011.

The Slovak Republic continuously pursues inclusion of cultural activities of individual national minorities into the cultural life of the majority society through the Ministry of Culture of the Slovak Republic. The Ministry of Culture of the Slovak Republic annually supports several cultural events featuring cultural ensembles of national, with the aim of promoting projects presenting minority culture to the majority population through its grant scheme, to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination. In 2007, the Ministry of Culture of the Slovak Republic engaged in the European Year of Equal Opportunities to All, using the mechanisms of the grant scheme and/or Culture of National Minorities and Culture of Disadvantaged Groups of the Population grant schemes, mainly through cultural activities facilitating creation of equal opportunities in culture and improvement of conditions for culture availability and the production of minority culture. The Festival of Minority Cultures – Minority Cultural Summer, presenting the culture of national minorities and the culture of disadvantaged groups of population, can be mentioned as an example. In addition to the presentations of Roma, Croatian and German minority culture, the majority population and visitors from abroad to the city (the event was an autonomous part of an important summer cultural activity - Bratislava Cultural Summer and Castle Festival), the Hungarian folk group Generations from Komárno, which revives and interprets authentic Hungarian folklore, also performed there.

The Hungarian ensemble Ifjú Szívek – Young Hearts, which is the only national minority artistic ensemble receiving contributions from the budget of the Ministry of Culture of the Slovak Republic, is another example. In 2007, the ensemble received financial support amounting to SKK 6,748,000 for its activities from the Ministry of Culture of the Slovak Republic, and in 2008, the amount was SKK 7,000,000. The Ministry of Culture of the Slovak Republic tries to send this ensemble to cultural events organised by various cultural organisations of the majority population according to its possibilities.

The Ministry of Culture of the Slovak Republic supports amateur ensembles representing the Hungarian national minority in Slovakia with a substantial amount every year. The objective of this support from the Ministry of Culture of the Slovak Republic is to foster and develop the national minority culture of the Hungarians living in Slovakia be it through NGOs, amateur ensembles, publishing houses, organisations of Csemadok – the Hungarian Social and Cultural Union in Slovakia, which present and promote Hungarian language and culture. In 2007, the support from the Ministry of Culture of the Slovak Republic to live culture of the Hungarian national minority amounted to SKK 30,162,000, and this for 359 supported projects.



**Support to Hungarian national minority culture in 2007:**

<b>Hungarian minority</b>	<b>Number of projects</b>	<b>SKK</b>
Live culture	359	30 162 000
Periodical print	25	9 280 000
Non-periodical print	114	12 120 000
<b>Together</b>	<b>498</b>	<b>51 562 000</b>

**Support from the Ministry of Culture of the Slovak Republic to cultural activities of the Hungarian national minority:**

Year 2007	51 562 000 SKK
Year 2008	53 144 000 SKK

e):

All organisations fostering, developing and presenting culture of national minorities in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic and theatres run by the individual self-governing regions are headed by persons belonging to the relevant national minority. All employees have, of course, command of the relevant minority language. This is also true for the Jókai Theatre at Komárno and the Thália Theatre at Košice – the two Hungarian national minority theatres existing in the Slovak Republic and the Múzeum kultúry Maďarov na Slovensku – the Museums of the Culture of the Hungarians Living in Slovakia in Bratislava. The Directorate for Minority and Regional Cultures of the Ministry of Culture of the Slovak Republic has an official responsible for processing grant applications, who belongs to the Hungarian national minority, and who communicates with applicants in Hungarian.

f):

The Ministry of Culture of the Slovak Republic provides administrative support to the activities of the twelve 12 grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Members include representatives of all regions and experts on all areas of culture. These commissions, being advisory bodies to the Minister of Culture, give a technical evaluation of all applications for subsidies for the respective national minority, and propose the amount of the grant. They elect the chair of the commission from among themselves. At the same time, grant commissions define the annual priorities for support to the culture of the individual national minority. The officer of the Section for Regional and Regional Cultures (which is responsible for the grant scheme of the Ministry of Culture of the Slovak Republic – Culture of National Minorities) is only the secretary of the commission, without voting right, and arranges the organisational and administrative preparation of projects for the session of the commission. In 2008, the Ministry of Culture of the Slovak Republic appointed two separate grant commissions composed of persons belonging to the Hungarian national minority for the Hungarian national minority – one for the area of live culture, and the other for periodical and non-periodical print media. By this adding of another grant commission, the Ministry of Culture of the Slovak Republic has satisfied a request of the Hungarian national minority in Slovakia. The Hungarian grant commission decides on the amount of financial contributions to individual projects on the basis of priorities and criteria set for the pertinent year by the commission in an independent manner.

g):

The Ministry of Culture of the Slovak Republic supports NGOs which have the task of collecting, archiving and publishing works in regional or minority languages, through its grants programmes every year. The most important of them is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) at Šamorín that collects, archives and publishes works on the issues of national minorities living in Slovakia. The Ministry of Culture of the Slovak Republic has supported its operation every year. In 2003, the Forum Minority Research Institute received SKK 880,000 from the Ministry of Culture of the Slovak Republic for the support of their projects and in 2007, support was even as much as SKK 3,535,000. The main mission of the Institute is to study national minorities living on the territory of Slovakia. The Šamorín based Forum Minority Research Institute publishes the “National Minorities in Slovakia” analytical yearbook every year. This publication is published in two languages – in Slovak and in Hungarian, with financial support from the Ministry of Culture of the Slovak Republic. The Nitra-based University of Constantine the Philosopher is another organisation that received support from the Ministry of Culture of the Slovak Republic (SKK 250,000) for their sociological survey (an extensive questionnaire survey – 1,200 to 1,500 questionnaires) of cultural identity and cultural consumption of future Hungarian intellectuals. The project focused on the fundamental dimensions of cultural identity and cultural consumption of future Hungarian intellectuals, i.e. students who study at the so called strongholds of Hungarian intellectuals (the Faculty of Central European Studies of Constantine the Philosopher University at Nitra, J. Seley University at Komárno, and the Department of Hungarology at the Faculty of Philosophy of Comenius University in Bratislava).

Paragraph 2:

Based on Act No. 184/1999 Coll. on the use of languages of national minorities, Section 2: when nationals of the Slovak Republic are persons who belong to a national minority form at least 20% of the population of a municipality according to the latest census of population, they may use the minority language in their official communication in this municipality. Persons belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government bodies also in their minority language in a municipality referred to in paragraph 1. The public authority in any municipality meeting the conditions of paragraph 1 shall also reply in the minority language in addition to the state language, except for public deeds. At request, decisions and official forms are also issued in the minority language.

Under Section 4 of the quoted Act: In their territory, municipalities may display the names of streets and other local geographical indications also in a minority language; important information, mainly warnings, notices and health-related communications are displayed in public places in both in the State and minority languages.

The Ministry of Culture of the Slovak Republic fosters the culture of national minorities through its grant scheme regardless of the percentage of the pertinent national minority in the region. When complying with all particulars, civil national minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities. The decisive criterion in approving an application is the actual need of the grant – the reasons for and justification of promoting cultural activities in these regions.

Paragraph 3:

The Hungarian ensemble Ifjú Szívek – Young Hearts under the founder's competence of the Ministry of Culture of the Slovak Republic is the only national minority artistic ensemble receiving contributions from the budget of the Ministry of Culture of the Slovak Republic. In the past, the ensemble has toured in the U.S., Australia, and performed in Austria. It has several performances in Hungary every year. The Ministry of Culture of the Slovak Republic gives persons belonging to national minorities adequate room to present their culture abroad.

The culture of all 12 national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures at home and abroad, be it in promotion materials for tourists, or by sending them out for presentations abroad.

Inclusion of presentations of traditional Hungarian folk culture in the performances of Slovak folk ensembles, and presentations of Hungarian folk ensembles, including amateur ones, at festivals in Slovakia and abroad is also an important form of its presentation.

### **Article 13 – Economic and Social Life**

#### **Paragraphs and Sub-paragraphs chosen:**

*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;*

*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:*

*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;*

## **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a)

Under Section 1 paragraph 4 of the Labour Code, the Civil Code shall apply to these legal relations unless the first part of the Labour Code provides otherwise. This means that the subsidiary force of the Civil Code applies to some provisions of the first part of the Labour Code (e.g. legal actions) unless the Labour Code provides otherwise.“

According to Section 8 Paragraph 2 of Act No. 270/1995 on the state language of the Slovak Republic, as amended, written legal actions in labour relations or a similar labour relation are made in the state language. For instance, a contract of employment concluded between the parties to a labour relation is such a legal action. The Labour Code does not explicitly include provisions that would forbid or exclude the possibility of having such a contract also made for example in a minority language, when the parties to the labour relations so agree. The same applies to other legal actions, such as an agreement on the modification of a contract of employment, an agreement on the termination of employment, a dismissal, an agreement on the indemnification of the employer and the like.

Act No. 312/2001 Coll. on the civil service, and on the amendment of certain other acts, (hereinafter referred to as “the Civil Service Act”), does not have any special provisions that would unreasonably forbid or restrict the use of regional or minority languages. Section 3 paragraph 2 of the Civil Service Act also prohibits discrimination on grounds of language when entering the civil service and performing civil service duties, in compliance with the principle of equal treatment. One of the requirements for admission to the civil service, under Section 14 paragraph 1 subparagraph g) of the Civil Service Act, is command of the state language. Civil servants have an obligation to have command of the state language solely because they perform civil service duties; however, this does not prevent natural persons to apply to public authorities in the minority or regional language. Civil servants have the obligation to observe all valid legal regulations related to the performance of state administration in the given field of responsibility. In official communication, they have the obligation to comply with Act No. 270/1995 Coll. on the state language of the Slovak Republic, as amended, and Act 184/1999 Coll. on the use of languages of national minorities.

Act No. 250/2007 Coll. on consumer protection, and on the amendment to Act of the Slovak National Council No. 372/1990 Coll. on administrative infractions, in the wording of later provisions, provides that “when information listed in Section 11 and 12 is given in writing, it must be done in the state language. This is without prejudice to the possibility of parallel use of other signs, mainly graphic symbols and pictograms, as well as other languages. Physical and technical quantities must be expressed in legal units of measurement“.

In respect of the State Language Act, it is necessary to emphasise that this law does not regulate the use of minority languages, and its application in practise does not result in restricting the rights of persons belonging to national minorities to use their mother tongue in communication in public, as ensured by valid legislation in the Slovak Republic.

b):

The Labour Code explicitly provides in its Article I (Fundamental Principles) that natural persons have the right to a free choice of employment, to fair and satisfying working

conditions and to protection against unemployment. These rights belong to them without any kind of restriction, and without direct or indirect discrimination on grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied in all provisions of the Labour Code. It must be applied in the same way to work rules and other internal standards, which must comply with legal provisions.

Act No. 5/2004 Coll. on employment services, and on the amendment of certain other acts, as amended, (hereinafter the “Employment Services Act”), does not have any special provisions that would forbid or restrict the use of regional or minority languages. Nor does the amendment to the Employment Services Act which came into effect on 1 May 2008 does not include such a ban or a restriction.

The currently valid Employment Services Act defines the right to access to employment in its Section 14 as the right of a citizen who wants to work, can work, and seeks a job, to services of assistance while seeking appropriate employment, or education and training necessary to have success on the labour market. Section 14, referred to herein, further provides that citizens have the right to access to employment without any restrictions, in conformity with the principle of equal treatment in labour relations and similar legal relations provided for in Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination, and on amending and supplementing certain other laws, (the Antidiscrimination Act). In conformity with the principle of equal treatment, any discrimination on grounds of marital and family status, colour, language, political and other opinion, trade union involvement, ethnic or social origin, disability, age, property, lineage or other status is prohibited.

Legislation ensuring health and safety at work does not have special provisions that would forbid or restrict the use of regional or minority languages. Legal provisions ensuring health and safety at work oblige the employer to perform certain measures comprehensibly with respect to employees. This employer’s obligation applies mainly to briefings of employees, informing the employees, manuals and other internal instructions. In the context of legal provisions, the term “comprehensibly” includes not only the content but also the manner in which information is transferred, so that the particular employee, including those employees who use one of the minority languages, do understand.

This area is regulated mainly by:

- Act No. 124/2006 Coll. on health and safety at work, and on the amendment to certain acts in the wording of Act No. 309/2007 Coll. which, in its Section 7 paragraph 1 subparagraph a), lays down the employer’s obligation to regularly, comprehensibly and demonstrably brief every employee on legal provisions and other regulations ensuring health and safety at work, principles of safety at work, principles of health protection at work, principles of safe conduct at work and safe work procedures; according to Section 7 paragraph 2 of this Act, the employer’s obligation to brief the employee in a comprehensible and demonstrable manner also applies to information concerning the list of works and workplaces prohibited for pregnant women, mothers until the end of the nine month period after delivery, and breast-feeding women, as well as the list of works and workplaces that are connected with specific risks for these categories of employees and the list of works and workplaces prohibited for juvenile employees,

- Ordinance of the Government of the No. 392/2006 Coll. on minimum health and safety requirements for workers working with tools, which in Section 8 paragraph 5 provides that briefing, information and written manuals must be comprehensible for the worker,
- Ordinance of the Government of the No. 395/2006 Coll. on minimum requirements for workers to be given and to use personal protective equipment, which in its Section 6 paragraph 2 regulates the obligation of the employer to brief the employee of the risks against which the personal protective equipment is used and to instruct the employee on proper use of the personal protective equipment in a comprehensible manner.

c):

Act No. 365/2004 Coll. on equal treatment in certain areas and on protection against discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic. Through the last amendment to the antidiscrimination law, the protection against discrimination has been improved. In respect of Charter implementation, the provisions of Section 8a, legislating so-called specific positive action, is of importance.

Paragraph 2:

c):

In 2005, the operation of establishments which enforce court decisions (children's homes, children's homes for unaccompanied minors, crisis centres, resocialisation centres), was newly legislated in Act No. 305/2005 Coll. on social and legal protection of children and social guardianship and on the amendment to certain laws. Act No. 195/1998 Coll. on social assistance, as amended, regulates the operation of social care facilities.

Establishments where court decisions are enforced and social care facilities are prepared to receive and treat persons in the language they use. Persons using a regional or minority language are preferentially employed by the social care facilities in those regions where a regional or minority language is used, and the personnel of these facilities communicates both in the state language and in the regional or minority language. Employees of these facilities have command of the language of their clients. In order to foster the use of regional or minority languages, bi-lingual journals are published. Clients have also the possibility of watching TV programmes in the language they use.

The operation of these facilities is organised in such a way that in areas with a higher number of clients and employees speaking other language than Slovak, persons of Slovak nationality are not discriminated against. Cultural and social events are also organised in the pertinent minority language. In respect of hospitals, the Ministry of Health of the Slovak Republic has not received any complaint concerning failure to provide medical care due to lack of knowledge of a minority language by the personnel of the hospital. No problems of this kind occurred in practice.

#### **Article 14 – Transfrontier exchanges**

##### **Paragraphs and Sub-paragraphs chosen:**

##### ***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.*

**Measures adopted to ensure the implementation of Charter provisions:**

a):

The Slovak Republic and the Republic of Hungary have concluded a Treaty on Good Neighbourly Relations and Friendly Cooperation (hereinafter the “Basic Treaty”). This Treaty came into effect on 15 May 1996 (The Treaty was published in the Collection of Laws of the Slovak Republic under No. 115/1997 Coll.). Article 7 of the Basic Treaty provides:

“The Contracting Parties shall create conditions for the development of various forms of economic cooperation in the border region on the regional and local levels, including cooperation between legal and natural persons.”

“The Contracting Parties shall attach importance to co-operation between higher-level self-governing units, towns and villages, in conformity with their competence and with the principle of subsidiarity.”

Article 15 of the Treaty includes many provisions relevant for this provision of the Charter. According to Article 15 paragraph 6 of the Basic Treaty, eleven joint Slovak-Hungarian commissions were established on the basis of the Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary of 24 November 1998, concerning the creation of a mechanism facilitating the fulfilment of the Basic Treaty. In 2004, the twelfth joint Slovak-Hungarian commission for cross-border cooperation was established.

An overview of the joint Slovak-Hungarian commissions:

- Joint Slovak-Hungarian Commission for Military and Other Security Policy Issues
- Joint Slovak-Hungarian Commission for Economic Cooperation
- Joint Slovak-Hungarian Commission for the Protection of Nature and Environment
- Joint Slovak-Hungarian Commission for Transport, Communications and Their Infrastructure
- Joint Slovak-Hungarian Commission for Agriculture, Veterinary and Phytosanitary Care
- Joint Slovak-Hungarian Commission for Culture and Press
- Joint Slovak-Hungarian Commission for Education, Science, Sport and Youth
- Joint Slovak-Hungarian Commission for Health Care, Health Insurance and Social Care
- Joint Slovak-Hungarian Commission for Cooperation in Areas in the Competence of the Ministry of Interior
- Joint Slovak-Hungarian Commission for Minority Affairs
- Joint Slovak-Hungarian Commission for European and Euro-Atlantic Integration or Other Foreign Policy Issues
- Joint Slovak-Hungarian Commission for the Cross-Border Co-operation

One of the joint Slovak-Hungarian commissions is established specifically for minority issues (the Joint Slovak-Hungarian Commission for Minority Affairs) and this Commission also covers areas relevant for the Charter (education, culture, press, media). Until now, seven sessions of the joint Slovak-Hungarian Commission for Minority Affairs have taken place.

b):

On 23 April 2001, the two Prime Ministers signed the Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Cross-Border Cooperation between Territorial Units or Authorities. By signing this Agreement, favourable conditions for the development of cooperation between neighbouring border areas, municipalities and their associations have been created, and contacts between the users of the Slovak and Hungarian languages in both countries in the field of culture, education, information, training and life-long learning have been fostered.

A joint Slovak-Hungarian Commission for Cross-Border Cooperation was established pursuant to Article 8 of the Treaty in 2004. The work of this Commission has been conducted according to its statutes, approved on the constituent session on 22 November 2004. Since its establishment in 2006, the joint Slovak-Hungarian Commission on Cross-Border Cooperation has worked at the Ministry of Construction and Regional Development of the Slovak Republic. Since 2007, the Ministry of the Interior of the Slovak Republic (in particularly, the Section for Public Administration – department for international and cross-border cooperation) has coordinated its activities. Since its establishment, the joint commission has held seven sessions.

Cooperation and contacts among border municipalities and regions are an important component in the development of Slovak-Hungarian relations. Currently, there are eight Euroregions along our common border with Hungary: Ipeľ/Ipoly Euroregion, Triple Danube-Euroregion, Noegradiensis Euroregion, Sajo-Rima-Slaná-Rimava Euroregion, Carpathian Euroregion, Euroregio Vagus – Danubius – Ipolia, Karst Euroregion, and Ister – Granum Euroregion. The activities of these Euroregions aim at joining forces and resources for the benefit of economic development, addressing environmental problems, education, youth, sports, culture, social affairs, health care, regional development, transport infrastructure, tourism, etc. Euroregions significantly contributed to the celebrations organised at the Slovak-Hungarian border on the occasion of the Schengen accession of both countries.



## THE RUTHENIAN AND UKRAINIAN LANGUAGES

### Article 8 – Education

#### Paragraphs and Sub-paragraphs chosen:

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

*b) ii to make available a substantial part of primary education in the relevant regional or minority languages; or*

*c) ii to make available a substantial part of secondary education in the relevant regional or minority languages; or*

*d) ii to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*

*e) ii to provide facilities for the study of these languages as university and higher education subjects; or*

*f) ii to offer such languages as subjects of adult and continuing education; or*

*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.*

#### Measures adopted to ensure the implementation of Charter provisions:

Paragraph 1:

The Constitution of the Slovak Republic together with international instruments including the European Charter for Regional or Minority languages ensures persons belonging to national or ethnic minorities in the Slovak Republic, inter alia, the right to learn the state language and the right to education in their language.

a) ii:

There is no pre-school education in the Ruthenian language.

According to information provided by the Ministry of Education of the Slovak Republic, the current numbers concerning kindergartens with pre-school education in the **Ukrainian language** are:

Kindergartens 2006/2007				
		Number of		
Language of the school	Language of the class	Schools	Classes	Pupils
Ukrainian	Ukrainian	10	15	243
Slovak-Ukrainian	Slovak	3	4	79
	Ukrainian		5	96

The current statistical overviews (the 2006/2007 school year) indicate that the average class size of classes in kindergartens with education in the Ukrainian language is 14,7 children (in case of kindergartens with education in the Slovak language it is 21).

a) ii:

Act No. 29/1984 Coll. on the system of primary and secondary schools as amended (the School Act) (hereinafter the “School Act”) ensures persons of other than Slovak national origin the right to education in their language at all levels and types of schools, in a scope proportionate to the interest of their national development. The exercise of these rights is reflected in the objectives, content, organisation and administration at all levels and types of schools and school facilities in the education system in the Slovak Republic. Today, persons belonging to national minorities are educated according to their requirements.

Act No. 596/2003 Coll. on state administration in the sector of education and school self-governments and on the amendment to certain acts as amended enables councils, municipal school councils and territorial school councils to enforce the interests of local and regional self-governments, parent and teachers in the field of education, i.e. including teaching in the mother tongue.

At schools with instruction in the minority language and teaching of the minority language, individual subjects are taught according to the same syllabi as at schools with instruction in the Slovak language except for the teaching of the mother tongue and minority literature subjects.

Financing of schools with instruction in the minority language and teaching of the minority language see pp. 26, 27.

**The Ruthenian language** is taught at schools or classes with the teaching of the national minority language, i.e. Ruthenian in the mother tongue, while other subjects are taught in the Slovak language. The Ruthenian language is taught at three schools with instruction in the Slovak language (4 classes, 34 pupils). In 2006, textbooks with a value of SKK 285,000 were issued for schools with instruction in the Ruthenian language. As from 1 September 2008, a primary school with instruction in the Ruthenian language is included in the network of schools and school facilities.

**The Ukrainian language** is taught as the mother tongue at schools and classes with the teaching of the national minority language, while the other subjects are taught in the Slovak language. In respect of the Ukrainian language, instruction is conducted at schools or classes with combined instruction, i.e. some of the subjects are taught in the state language and other

ones in the minority language, which is the Ukrainian language in this case. The average class size of classes in primary schools with instruction in the Ukrainian language is 11 pupils. In primary schools with instruction in the Slovak language, it is 20,9.

**Primary schools with teaching of the Ukrainian language in the 2006/2007 school year:**

Language of the school	Language of the class	Number of		
		schools	classes	pupils
Slovak */	Slovak	1 985	22 214	472 713
Ukrainian	Ukrainian	7	41	457
Slovak-Ukrainian	Slovak	1	4	48
	Ukrainian		3	44
*/ of those with teaching in Ukrainian		3	11	112

c) ii:

Currently, the Ruthenian language is not taught at any secondary school.

**Overview of secondary schools with teaching of the Ukrainian language in the 2006/2007 school year:**

Language of the school	Language of the class	Gymnasia		SSS		SVS and AS		Combined SS		Special secondary	
		Number of									
		schools	pupils	schools	pupils	schools	pupils	schools	pupils	schools	pupils
Ukrainian	Ukrainian	1	124	0	0	0	0	0	0	0	0
Slovak-Ukrainian	Slovak	0	0	1	182	0	0	0	0	0	0
	Ukrainian		0		41		0		0		

The average class size in gymnasia where the Ukrainian language is taught, is 24.8 pupils, in secondary specialised schools and secondary vocational schools it is 10.2 pupils. In gymnasia with instruction in the Slovak language, it is 26.7 pupils, in secondary specialised schools and secondary vocational schools with instruction in the Slovak language it is 28.6 pupils. This data on the number of pupils in classes document that in terms of education, schools with instruction in the minority language give teachers more room to work with the pupils on an individual basis during the educational process.

d) ii:

Currently, the Ruthenian language is not taught at any specialised school.

In respect of the Ukrainian language, information presented under subparagraph c) ii is of relevance.

e) ii:

Study and research of minority languages is supported in compliance with Act No. 131/2002 Coll. on higher education, and on the amendment to certain laws, as amended (hereinafter the "Higher Education Act").

Education in the **Ruthenian language** is provided by Prešov University, where the Institute for Regional and Minority Studies – Department of Ruthenian Language and Culture is established, and on 1 March 2008 an independent Institute of Ruthenian Language and Culture was opened.

Education in the **Ukrainian language** is provided by Prešov University at the Faculty of Philosophy (Department of Ukrainian Studies). The institutes of Prešov University also include the Institute of Russian, Ukrainian and Slavic Studies.

f) ii:

See information under subparagraph e) point ii.

g):

Curricula for grades 1 – 4 of primary schools with the teaching of the **Ruthenian language** are made in three variants: in the first variant, the Ruthenian language is taught as a non-compulsory subject; in the second variant, two lessons of the Ruthenian language a week are planned for all four grades; and in the third option, two lessons are planned per week in the first two grades and in the third and fourth grade the plan is three lessons of the Ruthenian language per week. Three variants are prepared for grades 5 – 9 of primary schools with the teaching of the Ruthenian language in a similar manner, however, only the first variant, i.e. teaching of the Ruthenian language as a non-compulsory subject with two lessons per week, is used in practice.

An alternative curriculum for **gymnasia with the teaching of the Ruthenian language** was approved by the Ministry of Education of the Slovak Republic under No. 830/2001-43 with effect from 1 September 2001. On 30 January 2006, the Ministry of Education of the Slovak Republic adopted the syllabi of Ruthenian Language and Literature for secondary schools with instruction in the Ruthenian language and teaching of the Ruthenian language under No. CD-2006-1597/3064-1:094, effective from 1 September 2006. On 11 November 1994, the Ministry of Education of the Slovak Republic approved a supplementary teaching text for the teaching of Ruthenian history under No. 5981/94-21, called The Ruthenians in Slovakia, by P.R. Magocsi.

Curricula for grades 1 – 4 of primary schools with instruction in the **Ukrainian language** are made in three variants. Curricula for grades 1 – 4 of primary schools with the teaching of the Ukrainian language are made in three variants, which differ in the number of lessons of the Slovak and Ukrainian languages. A separate curriculum for classes with extended foreign language classes in grades 3 – 9 of primary schools with instruction in the Ruthenian language has been made. Curricula for grades 5 – 9 of primary schools with instruction in the Ukrainian language are made in three variants, which differ in the number of lessons of the Ukrainian and Slovak languages. Curricula for grades 5 – 9 of primary schools with the teaching of the Ukrainian language are made separately in three variants.

Curricula for gymnasia No. 3597/1990-20 were modified with effect from 01 September 1996; alternative curricula to the original curriculum for **gymnasia with instruction in the Ukrainian language** are valid since 01 September 1998. Curricula for secondary specialised schools with instruction in the Ukrainian language were approved with effect from 01 September 2004. Schools with the teaching of the Ukrainian language use Teaching Texts from the History of the Ruthenians – Ukrainians, by Andrej Kováč. During the school year, these are used to supplement the subject matter of history lessons in grades 1 – 3. The texts

are also used as a source material for questions concerning regional history, which are a part of the oral school leaving exam in history.

h):

A Methodological Pedagogical Centre with its seat in Bratislava and five offices in Bratislava, Banská Bystrica, Prešov and Trenčín has been established according to Section 14 paragraph 2 subparagraph c) of Act No. 596/2003 Coll. on state administration in education and school self-administration, and on the amendment to certain acts, as amended. It is an organisation directly reporting to the Ministry of Education of the Slovak Republic tasked with methodological guidance and continuing education of teaching and non-teaching employees. Its scope of competence covers schools, school facilities established under the competence of self-governing towns, villages and regions, and also regional school offices in the Slovak Republic. For instance, the Metodicko-pedagogické centrum (Methodological Pedagogical Centre) at Prešov:

- delivers continuing education of teaching and non-teaching staff of schools and school facilities
- carries out specialist methodological activities in continuing education of teaching and non-teaching staff
- conducts research and surveys in continuing education of teaching and non-teaching staff
- based on the authorisation by the Ministry of Education of the Slovak Republic exercises Slovakia-wide competences:
  - in the field of professional guarantees for the Roma issue
  - in the field of professional guarantee for continuing education of teachers in territories where national minorities live (Hungarian, Ukrainian, Ruthenian)

i):

The Council for National Minority Education is an advisory body to the Minister of Education of the Slovak Republic for the efforts in fulfilling the tasks resulting from the Manifesto of the Government of the Slovak Republic for the period 2006 to 2010 in the field of education at schools and school facilities, their management, financing and in the area of state administration in the regional education system.

The Slovak Republic has also a Council of the Government of the Slovak Republic for National Minorities and established Ethnic Groups.

## **Article 9 – Judicial Authorities**

### **Paragraphs and Sub-paragraphs chosen:**

*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:*

*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*

*b) in civil proceedings:*

*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,*

*c) in proceedings before courts concerning administrative matters:*

*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,*

*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.*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

In respect of the use of regional or minority languages in proceedings before courts, the valid legal order complies with Article 47 of the Constitution of the Slovak Republic, and goes beyond the scope of the selected Charter articles. Slovak legislation in force meets the terms of the obligations under the Charter to which the Slovak Republic committed itself, and therefore there is no need to amend the legislation. In practice, the relevant valid and effective legislation does not restrict the right to use regional or minority languages in court proceedings. The Ministry of Justice of the Slovak Republic is not aware of any case in the work of the courts where a party to proceedings would fail to refer to his/her right to use a regional or minority language. A table on the application of relevant provisions of the Civil Procedure Code and of the Criminal Procedure Code by the courts of the Slovak Republic is annexed.

Paragraph 1

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006 is the relevant law to criminal proceedings. The Criminal Procedure Code is in effect and it is applied in the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of Section 2 paragraph 20 of the Criminal Procedure Code: "If the accused, his/her legal guardian, victim, participating person or witness declare that he/she does not know the language of the proceedings he/she has the right to an interpreter and translator."

Under Section 28, paragraph 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter".

Under Section 28, paragraph 3 of the Criminal Procedure Code: "If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate".

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and decision after completion of pre-trial proceedings; i.e. in pre-trial proceedings, when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is established only before the court that there is a person appearing who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.

iii:

Under Section 28, paragraph 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted, or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as the interpreter". The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which are related to the crime or the accused and which are in a regional or minority language are translated in compliance with Section 28 paragraph 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. the Civil Procedure Code as amended (hereinafter referred to as "the Civil Procedure Code") is the relevant legal provision with respect to these commitments. Under Section 18 of the Civil Procedure Code: "In civil proceedings, the parties shall have an equal status. They have the right to use their mother tongue or the official language of the state, understood by them, before a court. The court shall have the obligation to ensure for them equal possibilities for the exercise of their rights".

Under Section 141, paragraph 2 of the Civil Procedure Code: "Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned

representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

Judicial practice in civil proceedings also shows that judges mostly establish poor command of the Slovak language as late as the first hearing and therefore they assign an interpreter by ruling, adjourn the hearing and summon the interpreter to appear at the next hearing and, after performing the interpretation, to charge an interpreter’s fee. There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter. The Slovak Republic encountered no difficulty with the application of this obligation.

iii:

The effective legal order of the Slovak Republic allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense. Thus, it fully respects the respective provision of the Charter.

c) ii:

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code, which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to appear in person before a court, and to use one’s mother tongue, apply mutatis mutandis to court proceedings in administrative cases.

iii:

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense in the same way as in civil court proceedings. Thus, the respective provision of the Charter is fully respected.

d):

The costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrative proceedings are borne by the State.

Paragraph 3:

Legal provisions concerning persons belonging to national minorities have not yet been translated into the Ruthenian language.

## **Article 10 – Administrative authorities and public services**

### **Paragraphs and Sub-paragraphs chosen:**

*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:*



*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*

*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:*

*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;*

*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:*

*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;*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a), iii, iv:

Act No. 184/1999 Coll. on the use of languages of national minorities also lays down the rules for minority language usage in official communication. The use of **the Ruthenian and Ukrainian language** in official communication is possible in municipalities where persons belonging to the Ruthenian or Ukrainian national minority form at least 20% of the population, according to the most recent census of population.

Public authorities and their officers have the obligation to use the state language in official communication, and they may also use the minority language under conditions laid down in this law. In such municipalities, public authorities have the obligation to create conditions for the use of the minority language according to Act No. 184/1999 Coll. on the use of languages of national minorities, and according to special laws. In respect of Act No. 184/1999 Coll., the Ministry of the Interior of the Slovak Republic – Public Administration Section issued as part of its Operational Guidelines for Regional and District Authorities (see p. 52)

Act No. 254/2007 Coll. on the abolition of regional offices and on the amendment to Act No. 515/2003 Coll. on regional offices and district offices, and on the amendment to certain laws in the wording of Finding of the Constitutional Court of the Slovak Republic No. 263/2006 Coll., in force since 1 October 2007, abolished regional authorities as the second instance local state administration authority under the competence of the Ministry of the Interior of the Slovak Republic. By this law, 50 district offices remained in place as the first instance local state administration authority.

According to Government Ordinance No. 221/1999 Coll., Issuing the list of municipalities in which nationals of the Slovak Republic belonging to national minorities form at least 20 % of the population, there are, in the territory of the Slovak Republic, **68 municipalities where the Ruthenian language can be used in official communication, and 18 municipalities where the Ukrainian language can be used in official communication.**

Paragraph 2:

b):

According to Section 2 paragraph 3 of Act No. 184/1999 Coll. on the use of languages of national minorities, persons belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government bodies (hereinafter “public authority”) also in a minority language in municipalities where persons belonging to the relevant national minority form at least 20% of the population according to the latest census of population. There are, in the territory of the Slovak Republic, 68 municipalities where the Ruthenian language can be used in official communication and 18 municipalities where the Ukrainian language can be used in official communication.

In these municipalities, public authorities give citizens those official forms issued under their competence in the state language, and on request also in the minority language, i.e. in the Ruthenian and Ukrainian languages (Section 2, para. 6 of the Act No. 184/1999 Coll. on the use of languages of national minorities).

c), d):

In municipalities where persons belonging to a national minority form at least 20% of the population according to the latest census of population, important information, mainly warnings, notices and health-related communications, is displayed in both the state and minority languages in public places. In such municipalities, public authorities also provide

information concerning generally binding regulations under their competence in the minority language, on request.

Under Act No. 211/2000 Coll. on free access to information, and on the amendment and supplement to certain acts, obliged persons also publish information in the minority language, according to Act No. 184/1999 Coll. on the use of languages of national minorities, in those municipalities defined in this law.

f):

According to Section 3 paragraph 1 of Act No. 184/1999 Coll. on the use of languages of national minorities, sessions of the public authority in a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also be held in the minority language if all persons present agree. In case of **Ruthenian language** it is relevant to 68 municipalities, in case of **Ukrainian language** it is relevant to 18 municipalities.

A member of the municipal assembly in such municipalities has the right to use the minority language during the sessions of this body. Interpretation is provided by the municipality. The chronicle of such a municipality may be also written in the minority language.

g):

The issue of displaying traditional local names in the minority language is regulated by Act No. 191/1994 Coll. on names of municipalities in minority languages. This law states that “municipalities in which persons belonging to a national minority form at least 20% of the population shall have their name in the minority language placed on separate traffic signs marking the beginning and the end of the municipality”. Local public authorities complied with the obligation, and municipalities where 20% of the population are persons belonging to a national minority have such nameplates in the respective minority language.

Under Act No. 184/1999 Coll. on the use of languages of national minorities (Section 4 paragraph 1), a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also have street name plates and other local geographic names in the minority language.

Paragraph 3:

c):

This obligation resulting from the Charter is complied with by Act No. 184/1999 Coll. on the use of languages of national minorities, in particular Section 2 paragraph 3: “Nationals of the Slovak Republic who are persons belonging to national minority have the right to file written applications to state administration authorities and territorial self-government bodies (hereinafter “public authority”) also in the minority language in a municipality referred to in paragraph 1. The public authority in the municipality referred to in paragraph 1 shall also reply in the minority language, in addition to the state language, except for public deeds.”

Under Act No. 564/2001 Coll. on the Public Defender of Rights (Ombudsman), as amended, persons filing submissions may use their mother tongue in communication with the Ombudsman. Provisions of Section 11 paragraph 2 of the above law read: “Natural persons may use their mother tongue in their communication with the Public Defender of Rights. The costs of interpretation shall be borne by the state”. The Public Defender of Rights Act makes

it possible to use these languages in communication with the Public Defender of Rights even outside districts that reach the 20% threshold of population claiming a national minority origin.

In order to simplify and speed up the reviewing of submissions by the Public Defender of Rights, the Office of the Public Defender of Rights has prepared a submission form meeting all substantive particulars of the submission prescribed by law. This form has been translated into the languages of all national minorities in the Slovak Republic that are covered by the ratified provisions of the Charter, i. e. also into the Ruthenian and Ukrainian languages. The Office distributes forms for filing submissions as a part of its activities,<sup>4</sup> and these forms are also published on the website of the Public Defender of Rights, [www.vop.gov.sk](http://www.vop.gov.sk), which offers the option of direct electronic submission. In case of submissions in a language other than Slovak, the Office of the Public Defender of Rights also arranges the translation of the answer into the language of the submission, or into other language if so requested in the submission. Since 2002, when the first Public Defender of Rights was elected in the Slovak Republic, 1 submission has been filed in the **Ruthenian language** and 1 submission has been filed in the **Ukrainian language**.

Paragraph 4:

a):

Public authorities in a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population have the obligation to create conditions for the use of that minority language according to Act No. 184/1999 Coll. on the use of languages of national minorities, and special laws.

Under Act No. 154/1994 Coll. on register offices (Section 13 paragraph 4), “when notifying a birth orally, the notifying persons is required to produce his/her identity papers. If the notifying person has a speech and/or hearing impairment or the notification is made in a language the registrar has no command of, an interpreter is needed; when this interpreter is not an officially appointed interpreter, the interpreter must give an oath prescribed in a separate regulation to the registrar before whom he/she appears as interpreter. Information about interpretation and the interpreter are entered in the book of births“.

In practice, translations and interpretation in institutions providing public services are usually performed by those officers who have command of the minority language, and their clients may use this language.

c):

Public authorities in a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population have the obligation to create conditions for the use of that minority language according to Act No. 184/1999 Coll. on the use of languages of national minorities, and special laws. Applications of the employees of public services, who speak minority language for designation or transfer to the territory, where this language is used, are usually approved.

Paragraph 5:

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<sup>4</sup> e.g. distribution of forms to regional points of the Public defender of Rights within Slovak Republic, which register inhabitants declaring national minority origin and which are established by the Public Defender of Rights out of his own initiative

Act No. 300/1993 Coll. on names and surnames, as amended, Act No. 154/1994 Coll. on Register Offices as amended are the relevant pieces of legislation with respect of this commitment.

Under Act No. 300/1993 Coll. on names and surnames, as amended, every person must have a surname. At birth, a national of the Slovak Republic acquires the common surname of the parents or, if they have different surnames, the surname of one of them, as agreed at the time of entering into marriage or, when the parents are not married and have different surnames, a surname is given according to the agreement reached by the parents. Such agreement is possible only with respect to one of the surnames of the parents at the time when the agreement was reached. In official communication, nationals of the Slovak Republic use the surname given under this law, under previous legal provisions or when entering into marriage in the form and sequence entered in the register in the book of births or the book of marriages.

Under Act No. 154/1994 Coll. on register offices (Section 16), the surname of a female person of a nationality other than Slovak is entered without the Slovak female inflection,

- a) at the parents' request when entering the surname of their female child in the book of births under Section 1 paragraph 1, or when adoptive parents do so, according to special regulation
- b) at the woman's request, when her marriage is entered in the book of marriages, according to Section 14
- c) at the woman's request, in respect of entering a decision on change of surname, according to a separate law

The surname of a woman will be entered in her birth certificate or marriage certificate without the Slovak female inflection at her written request, and this fact is entered in the register. All subsequent official extracts and statements of data entered in the register are made with this form of the surname. A written application according to the first clause is filed in the collection of deeds (Section 19 paragraph 6 of Act No. 154/1994 Coll. on register offices, as amended).

Provisions of the special law on the change of the form of the name and surname do not apply to entering the change of the form of the name and surname according to Section 19 paragraphs 3, 4 and 6 in the official extract, and this action is not subject to the obligation of paying charges as provided under special law. Names and surnames are entered in the register and its extracts in the Roman alphabet (Section 36 of Act No. 154/1994 Coll. on register offices, as amended).

## **Article 11 – Media**

### **Paragraphs and Sub-paragraphs chosen:**

***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:*
  - iii *to make adequate provision so that broadcasters offer programmes in the regional or minority languages;*
- b) ii *to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*
- c) 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*
- f) ii *to apply existing measures for financial assistance also to audiovisual productions in the 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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Odsek 1:

a) iii:

Act No. 16/2004 Coll. on Slovak Television, as amended, and Act No. 619/2003Z Coll. on Slovak Radio, as amended, are the relevant pieces of legislation with respect to minority language broadcasting in public media in the Slovak Republic. Provisions of these laws guarantee broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic; public media may establish separate organisational units to ensure the production

and broadcasting of programmes for national minorities and ethnic groups. Very good conditions for the application of the selected provisions of the European Charter for Regional or Minority Languages, comparable with the standards in other EU Member States, have been created in the area of broadcasting provided by public television and radio.

**Slovak Radio** is a public, national, independent, information, cultural and educational institution providing services to the public in the field of radio broadcasting. The main activities of Slovak Radio cover broadcasting of public interest programmes, including minority language programmes, with well-balanced content and regional distribution as an integral dimension, and with a majority proportion in the broadcasting structure. In this way, Slovak Radio fulfils its mission of promoting the cultural identity of all inhabitants of the Slovak Republic.

Slovak Radio broadcasts programmes for national minorities and ethnic groups living in the territory of the Slovak Republic on its **Radio Patria** channel. Since it was put on the air in 2000, Radio Patria – Unit for national minority and ethnic group broadcasting also covers broadcasting in Ruthenian and Ukrainian languages.

The new broadcasting structure of Slovak, in effect since 1 February 2007, introduced extensive changes in Radio Patria, which has become the radio for all national minority programmes in terms of its organisation and programmes, because the programmes in individual minority languages are now broadcast from one station. Before this change the programmes of the unit for national minority and ethnic group broadcasting in Košice were transmitted by the signal of Regina Radio, to which they were connected through different technical solutions.

The Ministry of Culture of the Slovak Republic initiated a proposal to allocate specifically dedicated funds to Slovak Radio for 2007 from the budget of the Ministry of Culture of the Slovak Republic, which was submitted to a session of the Government of the Slovak Republic. In October 2007, the Government of the Slovak Republic decided to allocate funds to the Ministry of Culture, specifically dedicated for Slovak Radio broadcasting of programmes in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic, to a total amount of SKK 45,400,000, in order to ensure compliance with the above tasks and the mission of Slovak Radio.

In 2006, Radio Patria broadcast in the **Ruthenian language** for 376 hours, which is 9.7% of the total volume of broadcasting in all minority languages.

In 2006, Radio Patria broadcast in the **Ukrainian language** for 394 hours, which is 10.2% of the total volume of broadcasting in all minority languages. Radio broadcasting brings themes and issues from the life of the Ruthenian and Ukrainian national minorities.

News and event coverage programmes in the Ruthenian and Ukrainian languages have slightly increased in the current programme structure of the unit for national minority and ethnic group broadcasting.

Radio broadcasting brings themes and issues from the life of the Ruthenian and Ukrainian national minorities. Their priorities include analytical and fiction genres, event coverage, music programmes, programmes for young people, literature and drama programmes or artistic programmes. It also includes recreational types of programmes and the popular

Koncert jubilantom. Religious programmes and liturgy have their fixed place in the programmes. Ruthenian and Ukrainian broadcasting alternates on working days from 9:00 to 10:00 hrs. (Rádio noviny - Radio news: from 9:00 to 9:30 hrs., Hudba národností - National minorities music: 9:30-10:00 hrs.), on Saturdays 15:00-19:00 hrs. (Hudobné pozdravy - Musical greetings: from 15:00 to 17:00 hrs., Rádio mladých - Radio for young + fairy tales: from 17:00 to 18:30 hrs., Literárne okienka/Korene/Podoby života - Literature windows/Roots/Forms of life: from 18:30 – 19:00 hrs.) in addition, on Sundays from 15:00 hrs. to 20:00 hrs. (from 15:00 to 17:00 hrs.: Musical greetings, from 17:00 to 18:00 hrs. Radio magazine, from 18:00 hrs. to 18:45 hrs. From one village to another /Od dediny k dedine/Kmotrovci/Dedina hrá, spieva, dumu dumá/Z rozhlasového archívu -Kmotrovci/The village plays, sings, ponders/From radio archives..., from 18:45 hrs. to 20 hrs.: Liturgy of Orthodox/Greek Orthodox Churches/ The village plays, sings, ponders/From one village to another (Re-runs) + Hit parades.

Radio Patria can be tuned into on MW from these transmitters: Nitra 1098 kHz, Rimavská Sobota 1017 kHz, Prešov 702 kHz.

In 2006, **Slovak television** broadcast 7.73 hours of the **Ruthenian minority magazine**, which is 3.54% of the total volume of broadcasting in minority languages in the Slovak television.

In 2006, **Slovak television** broadcast 8.3 hours of the **Ukrainian minority magazine**, which is 3.8% of the total volume of broadcasting in minority languages in the Slovak television.

b) ii:

The Constitution of the Slovak Republic provides in Article 34 paragraph 1 that “citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, [and] to establish and maintain educational and cultural institutions.”

Act No. 308/2000 Coll. on broadcasting and retransmission, and on amending Act No. 195/2000 Coll. on telecommunications, as amended, guarantees the right to free and independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within its scope of legislation. This law makes it possible for the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within its scope of legislation.

In the territory of the Slovak Republic, radio signals can be received from several radio stations (public and private) from neighbouring countries. The Council for broadcasting and retransmission does not information on numbers of the licence holders that broadcast in Ruthenian and Ukrainian language.

c) ii:

In the Slovak Republic, 116 licence holders currently provide television broadcasting, of which 18 in the Hungarian language. The Council for broadcasting and retransmission does not have information on numbers of the licence holders that broadcast in the Ruthenian and Ukrainian language.



According to statistical surveys, on the basis of the programme services on offer, some 33% of households make use of services for retransmission of programmes from the so-called kin countries. In the territory of the Slovak Republic, television signals can be received from several television stations (public and private) from neighbouring countries. According to the Act on broadcasting and retransmission the transmission of broadcasting is possible in the south or eastern Slovakia. This kind of broadcasting is not registered in case of satellite broadcasting.

d):

In addition to the above legal provisions concerning media, the relevant legislation in respect of the implementation of this commitment also includes Act No. 220/2007 Coll. on digital broadcasting of programme services and on provision of other content services through digital transmission, and on amendments to several acts (the Digital Broadcasting Act), effective from 31 May 2007. This law liberalises the authorisation scheme for television and radio broadcasting, and creates room for the creation of new platforms for the provision of on-line services (e.g. e-government, e-learning, e-culture and the like). The register of digital terrestrial services is based on an approach to content different from the programme service; the register of content services providers is a hot-line alternative in the meaning of Council of Europe Recommendation (2001) 8.

Act No. 343/2007 Coll. on conditions of registration, public broadcasting and preservation of audiovisual works, multimedia works and sound recordings of artistic performances, and on the change of and amendment to some laws, (hereinafter the "Audiovisual Act"), came into effect on 1 January 2008. Under Section 17 paragraph 4, this law provides for the possibility of presenting audio-visual works also in the original language, except for performances for minors under 12 years of age in time slots appropriate for such minors. This approach has opened more room for audiovisual works presentation in the languages of national minorities.

e) i):

Act No. 81/1966 Coll. on periodical press and other mass media, as amended, is a general legal provision not limited to publishing of periodical press in national minority languages. On the other hand, it does not contain any specific provisions concerning periodical or non-periodical press of national minorities and ethnic groups.

In the Slovak Republic, the publication of periodical and non-periodical press in the languages of national minorities and ethnic groups is supported through state subsidies provided by means of the grant system of the Ministry of Culture.

In the field of **periodical literature**, the grant system of the Ministry of Culture is the vehicle to support culture pages and supplements to newspapers and journals as well as periodicals in electronic form covering the cultural life of national minorities, journals on literature, art science and art criticism; student, university journals and magazines for children.

**Number of titles and financial volume of support to periodicals in the Ruthenian language:**

Year	Number of titles	Financial volume of support (SKK)
2005	2	1 287 000
2006	5	1 731 000

2007	5	1 680 000
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The Ministry of Culture of the Slovak Republic granted financial support to these periodicals in the Ruthenian language: InfoRusín (year 2005 - 787 000,-SKK, year 2006 - 800 000,-SKK and year 2007- 800 000,-SKK), Národné novinky (year 2006 - 550 000,-SKK, year 2007 - 500 000,-SKK), Pozdravíňa Rusyniv (year 2006 - 50 000,-SKK, year 2007- 40 000,-SKK), Rusalka (year 2006 - 50 000,-SKK, year 2007 - 40 000,-SKK) and Rusín (year 2005 - 500 000,-SKK, year 2006 - 281 000,-SKK, year 2007 - 300 000,-SKK) .

**Number of titles and financial volume of support to periodicals in the Ukrainian language:**

Year	Number of titles	Financial volume of support (SKK)
2005	3	1 356 000
2006	3	1 300 000
2007	3	1 430 000

The Ministry of Culture of the Slovak Republic granted financial support to these periodicals in the Ukrainian: Dukla (year 2005 - 420 000,-SKK, year 2006 - 400 000,-SKK, year 2007 - 450 000,-SKK), Nové Žyťľa (year 2005 - 610 000,-SKK, year 2006 - 600 000,-SKK, year 2007 - 650 000,-SKK) and Veselka (year 2005 - 326 000,-SKK, year 2006 - 300 000,-SKK, year 2007 - 330 000,-SKK).

f) ii:

The Ministry of Culture of the Slovak Republic has drafted an effective, impartial and transparent procedure for granting funds from the dedicated transfer from the Ministry of Culture to the culture of individual national minorities. Individual national minorities are allocated dedicated funds for cultural activities and for periodical and non-periodical press through the Ministry of Culture's grant scheme. This meets the requirements for the fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since national minorities and ethnic groups are given room to develop and use their own language as the bearer of their cultural heritage and preservation of their linguistic identity.

Another significant progress occurred in the 2008 Grant scheme on the Culture of National Minorities. In 2008, the Ministry of Culture of the Slovak Republic has more funds available for the grant scheme on the Culture of National Minorities, the electronic registration processes has become more transparent and simpler, the internal application handling procedure from the time of application filing to grant of funds to individual applicants has been shortened, and a more detailed structure of the programmes ensuring more conceptual preparation, processing and work of technical commissions has been drafted, hence, a higher satisfaction of applicants for grants should be achieved, the application electronic registration system has been improved – all forms are now available in electronic form, the number of eligible items in the budgets has been increased, and all technical grant commissions were given a special code, which gives the members of individual commissions a period of two months to study the projects, which made their decision-making more professional, conceptual and fairer.

In 2007, out of the dedicated transfer from the Ministry of Culture of the Slovak Republic, SKK 5,273,000 were allocated to **Ruthenian minority culture**.

In 2007, out of the dedicated transfer from the Ministry of Culture of the Slovak Republic, SKK 3.430.000 were allocated to **Ukrainian minority culture**.

Paragraph 2:

In the territory of the Slovak Republic, television and radio signals from several television and radio stations (public and private) from neighbouring countries can be received. According to the Act on broadcasting and retransmission the transmission of broadcasting is possible in the south or eastern Slovakia. This kind of broadcasting is not registered in case of satellite broadcasting. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.

Paragraph 3:

The Slovak Television Council and the Slovak Radio Council are the competent bodies to approve broadcasting concepts and plans also in respect of ensuring broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups (see p. 64).

To complete the picture, we note that all topical questions concerning minority languages including media are discussed at the level of the Council of the Government for National Minorities and Ethnic Groups.

## **Article 12 – Cultural activities and facilities**

### **Paragraphs and Sub-paragraphs chosen:**

*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;*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1

a):

The Slovak Republic promotes publishing of periodicals and non-periodical literature in the Ruthenian language through the Ministry of Culture of the Slovak Republic.

In the field of **periodical literature**, the grant system of the Ministry of Culture is the vehicle to support culture pages and supplements to newspapers and journals as well as periodicals covering the cultural life of the **Ruthenian and Ukrainian national minorities**, journals on literature, art science and art criticism; student, university journals and magazines for children. The allocation of support to live culture, periodical and non-periodical print media is decided by the Ruthenian grant commission. Detailed information on the number of titles and volume of funds given to periodicals in the Ruthenian and Ukrainian languages is presented in Article 11 – Media.

The task of the grant scheme in the area of **non periodical literature** of national minorities is to support publishing activities and publications enhancing the identity of national minorities through original creation, fiction, technical, scientific literature and translations. The subsidy is also meant for bringing out audio recordings of national minority authors, where it should mainly be used to partially cover the costs linked with the production of CDs.

**Number of titles and financial volume of support to non-periodical literature in the Ruthenian language:**

Year	Number of titles	Financial volume of support (SKK)
2005	5	375 000
2006	7	551 000
2007	8	514 000

**Non-periodical print in the Ruthenian language in 2007:**

<b>Organisation</b>	<b>Non-periodical print</b>	<b>Grant</b>	<b>Increased financial volume of support</b>	<b>Together</b>
Svetový kongres Rusínov – World Congress of Ruthenians	Rusíni Slovenska (Ruthenians in Slovakia)	100 000,-SKK		
Ján Čižmár	Sláva Isusu Christu do svadobného domu- CD Appendix: Ľudová svadba Rusínov východného Slovenska (Folk wedding of Ruthenians in the Eastern Slovakia)	80 000,-SKK		
Marianna Železná	Studnica rusínskych ľudových piesní (Ruthenian folk songs) – Mamko moja, mamko ľuba	50 000,-SKK		
Rusín and Ľudové noviny	Slon na kýčere	50 000,-SKK		
Rusínska obroda na Slovensku (Ruthenian revival in Slovakia)	Jurkovy príhody (Stories of Jurko)	50 000,-SKK		
Rusínska obroda na Slovensku (Ruthenian revival in Slovakia)	Spevy môjho rodu – CD (Songs of my family)	50 000,-SKK		
Spolok rusínskych spisovateľov (Association of Ruthenian writers)	Rusínsky literárny almanach na rok 2007 (Ruthenian literary almanac 2007)	50 000,-SKK	34 000,-SKK	
Svetový kongres Rusínov (World Congress of Ruthenians)	100 významných Rusínov očami súčasníkov - 1. part (100 famous Ruthenians in the eyes of contemporary people)	50 000,-SKK		
		<b>480 000,-SKK</b>	<b>34 000,-SKK</b>	<b>514 000,-SKK</b>

**Number of titles and financial volume of support to non-periodical literature in the Ukrainian language:**

Year	Number of titles	Financial volume of support (SKK)
2005	2	170 000
2006	4	434 000
2007	4	265 000

**Non-periodical print in the Ukrainian language in 2007:**

Organisation	Non-periodical print	Grant	Increased financial volume of support	Together
Spoločnosť priateľov Múzea ukrajinsko-rusínskej kultúry vo Svidniku (Association of friends of the Museum of Ukrainian-Ruthenian Culture in Svidnik)	Vedecký zborník Slovenského národného múzea – Múzea ukrajinskej kultúry č. 24 (Academic volume of the Slovak National Museum – Museum of Ukrainian Culture No. 24)	71 000,-SKK	30 000,-SKK	
Spolok ukrajinských spisovateľov na Slovensku (Association of Ukrainian writers in Slovakia)	Eliáš Galajda: Z vyhne času	50 000,-SKK	20 000,-SKK	
Spolok ukrajinských spisovateľov na Slovensku (Association of Ukrainian writers in Slovakia)	Nad'a Varcholová: A dedina s'ťa maľované vajce (A village like painted egg)	49 000,-SKK		
Zväz Rusínov – Ukrajincov Slovenskej republiky (Associations of the Ruthenians – Ukrainians of the Slovak Republic)	Eliáš Legdan: Epigramy	45 000,-SKK		
		<b>215 000,-SKK</b>	<b>50 000,-SKK</b>	<b>265 000,-SKK</b>

Expressions and characteristic features of the Ruthenian language are also supported by the Ministry of Culture of the Slovak Republic through the Ruthenian – Ukrainian national

minority Alexander Duchnovič Theatre at Prešov and the Museum of Ruthenian Culture at Prešov. The Alexander Duchnovič Theatre at Prešov was founded as the Ukrainian National Theatre with its seat at Prešov in 1945, the name of the theatre was changed in 1990. The Alexander Duchnovič Theatre is a national minority theatre with two companies (one for drama and the Poddukelský umelecký ľudový súbor – PULS (Trans-Dukla Artistic Folk Ensemble), which perform in the Ruthenian and Ukrainian languages.

The Alexander Duchnovič Theatre is the only professional theatre in the world that performs in the Ruthenian language. Their activities are not limited to a particular region – they perform all over Slovakia. The Theatre is under the competence of the Prešov Higher Territorial Unit that runs the Theatre. In its effort to promote and develop these activities, the Ministry of Culture of the Slovak Republic supports theatre performances staged outside its home stage every year.

**Support to the Ruthenian-Ukrainian Alexander Duchnovič Theatre at Prešov through the Ministry of Culture of the Slovak Republic.**

Year	Financial volume of support (SKK)
2005	200 000
2006	155 000
2007	200 000

In its effort to be responsive to the Ruthenian minority, in 2007 the Ministry of Culture of the Slovak Republic has opened a separate Museum of the Ruthenian Culture at Prešov that will exclusively collect, archive and present artefacts of the Ruthenian national minority. In the first year of its operation, the Ruthenian museum received SKK 1,600,000 from the Ministry of Culture of the Slovak Republic to launch its operation. The director of the museum belongs to the Ruthenian national minority. This youngest museum in Slovakia was established in January 2007 and it has a country-wide competence. This documentation, research and methodology workplace concentrates on the history and culture of the Ruthenian ethnic group in Slovakia. The mission of this specialised museum is to acquire, protect, scientifically and technically process, and make available museum collections documenting the development of material and spiritual culture of the Ruthenians in Slovakia in a targeted manner.

b):

The production of cultural expressions in regional or minority languages is approached in several ways. These mainly include translations of works in regional or minority languages into the Slovak language using grants from the Art subprogramme of the grant scheme of the Ministry of Culture of the Slovak Republic, this subprogramme targets the publishing of translations of belles-lettres and translations of scientific literature on arts and social sciences. The support to presentations of culture produced in regional or minority languages also takes the form of theatre plays, performances in theatres, and exhibitions presenting national minorities in museums and galleries.

c):

Access to works in other than regional or minority languages is provided by supporting and developing translation activities. Through its grant scheme, the Ministry of Culture of the Slovak Republic spends significant amounts of funds on support to publishing and publication activities of the Ruthenian national minority for publishing translations of literature in the Ruthenian language. See answer 1. a).

In December 2006, the Government of the Slovak Republic approved the Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the strategy in the field of minority cultures is to have by 2010 written information (descriptions) on the exhibited collection items, other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and in the case of specialised expositions, in the minority languages, in addition to the state language and English.

d):

In December 2006, the Government of the Slovak Republic approved the Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The policy includes the task to fully prepare and start installations of standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities and ethnic groups by 2011.

The Slovak Republic continuously pursues inclusion of cultural activities of individual national minorities into the cultural life of the majority society through the Ministry of Culture of the Slovak Republic. The Ministry of Culture of the Slovak Republic annually supports several cultural events featuring cultural ensembles of national minorities, with the aim of promoting projects presenting minority culture to the majority population through its grant scheme, to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination. In 2007, the Ministry of Culture of the Slovak Republic engaged in the European Year of Equal Opportunities to All using the mechanisms of the grant scheme and/or Culture of National Minorities and Culture of Disadvantaged Groups of the Population grant programmes mainly through cultural activities facilitating creation of equal opportunities in culture and improvement of conditions for culture availability and the production of minority cultures.

Another example is the support to the Poddukelský umelecký súbor – PUES, which is a company within the Ruthenian-Ukrainian Alexander Duchnovič Theatre at Prešov. The objective of the support provided by the Ministry of Culture of the Slovak Republic is to foster and develop the specific culture of the Ruthenians living in Slovakia, be it by supporting concerts of the PUES ensemble - Živá krása (Live Beauty) that presents and promotes Ruthenian folklore, or to support presentations of amateur Ruthenian folklore (the DUMA and DUKAT ensembles from Snina, ROLAND from Čirča and other), which enhances the feeling of pride of Ruthenians living outside the original region of their culture, eliminates prejudice against national minorities and creates room for cooperation with the majority society and other national minorities such as the Hungarian and Roma minorities who live in the region of eastern Slovakia. In 2007, support from the Ministry of Culture of the Slovak Republic **to live culture of the Ruthenian national minority** amounted to SKK 3,079,000, and this for 47 supported projects.

**Support to the Ruthenian minority culture in 2007:**

Ruthenian minority	Number of projects	SKK
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<b>Live culture</b>	47	3 079 000
<b>Periodical print</b>	5	1 680 000
<b>Non-periodical print</b>	8	514 000
<b>Together</b>	60	5 273 000

In 2007, support from the Ministry of Culture of the Slovak Republic to **live culture of the Ukrainian national minority** amounted to SKK 1,735,000, and this for 11 supported projects.

**Support to the Ukrainian minority culture in 2007:**

<b>Ukrainian minority</b>	<b>Number of projects</b>	<b>SKK</b>
<b>Live culture</b>	11	1 735 000
<b>Periodical print</b>	3	1 430 000
<b>Non-periodical print</b>	4	265 000
<b>Together</b>	18	3 430 000

e)

All organisations fostering, developing and presenting national minority cultures in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic and theatres run by the individual self-governing regions are headed by persons belonging to the relevant national minority. All employees have, of course, command of the relevant minority language. This also applies to the Ruthenian - Ukrainian national minority Alexander Duchnovič Theatre at Prešov and the Museum of Ruthenian Culture at Prešov.

f):

The Ministry of Culture of the Slovak Republic provides administrative support to the activities of the twelve grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Members include representatives of all regions and experts on all areas of culture. These commissions, being advisory bodies to the Minister of Culture, give a technical evaluation of all applications for subsidies for the respective national minority, and propose the amount of the grant. They elect the Chair of the commission from among themselves. At the same time, grant commissions define the annual priorities for support to the culture of the individual national minority. The officer of the Directorate for Regional and Regional Cultures (which is responsible for the grant scheme of the Ministry of Culture of the Slovak Republic – Culture of National Minorities) is only the secretary of the commission, without voting right, and arranges the organisational and administrative preparation of projects for the session of the commission. The Ruthenians, being a separate national minority, have their own grant commission composed of persons belonging to the Ruthenian national minority. Equally, the Ukrainians, being a separate national minority, also have their own grant commission, composed of persons belonging to the Ukrainian national minority, that decides on the amount of financial contributions for individual projects on the basis of priorities and criteria set for the pertinent year by the commission.

**Support from the Ministry of Culture of the Slovak Republic to cultural activities of the Ruthenian national minority:**

Year 2005	3 824 298,-SKK
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Year 2006	5 100 000,-SKK
Year 2007	5 273 000,-SKK

In 2008, the Ministry of Culture of the Slovak Republic plans to allocate an amount of SKK 5,350,000 to cultural activities of the Ruthenian national minority:

**Support from the Ministry of Culture of the Slovak Republic to cultural activities of the Ukrainian national minority:**

Year 2005	2 754 000,- SKK
Year 2006	3 564 000,- SKK
Year 2007	3 430 000,- SKK

In 2008, the Ministry of Culture of the Slovak Republic plans to allocate an amount of SKK 3,350,000 to cultural activities of the Ukrainian national minority:

g):

The Ministry of Culture of the Slovak Republic supports NGOs which have the task of collecting, archiving and publishing works in regional or minority languages, through its grants programmes every year. The most important of them is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) at Šamorín that collects, archives and publishes works on the issues of national minorities living in Slovakia. The Ministry of Culture of the Slovak Republic has supported its operation every year. In 2003, the Forum Minority Research Institute received SKK 880,000 from the Ministry of Culture of the Slovak Republic for the support of their projects and in 2007, support was even as much as SKK 3,535,000. The main mission of the Institute is to study national minorities living on the territory of Slovakia. The Šamorín based Forum Minority Research Institute publishes the “National Minorities in Slovakia” analytical yearbook every year. This publication is published in two languages – in Slovak and in Hungarian, with financial support from the Ministry of Culture of the Slovak Republic. The Ministry of Culture of the Slovak Republic every year supports academic conferences on national minorities, e.g. in 2007 academic conference on chronology of history and culture of Ruthenians living in Slovakia and other literary seminars for particular national minorities. These seminars deal with current problems in the context of other literature in Slovakia.

Paragraph 2:

Based on Act No. 184/1999 Coll. on the use of languages of national minorities, Section 2: when nationals of the Slovak Republic are persons who belong to a national minority form at least 20% of the population of a municipality according to the latest census of population, they may use the minority language in their official communication in this municipality. Persons belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government bodies also in their minority language in a municipality referred to in paragraph 1. The public authority in any municipality meeting the conditions of paragraph 1 shall also reply in the minority language in addition to the state language, except for public deeds. At request, decisions and official forms are also issued in the minority language.

Under Section 4 of the quoted Act: In their territory, municipalities may display the names of streets and other local geographical indications also in a minority language; important information, mainly warnings, notices and health-related communications are displayed in public places in both in the State and minority languages.

The Ministry of Culture of the Slovak Republic fosters the culture of national minorities through its grant scheme regardless of the percentage of the pertinent national minority in the region. When complying with all particulars, civil national minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities. The decisive criterion in approving an application is the actual need of the grant – the reasons for and justification of promoting cultural activities in these regions.

Paragraph 3:

The Ruthenian - Ukrainian national minority Alexander Duchnovič Theatre at Prešov does not fall under founder's jurisdiction of the Ministry of Culture of the Slovak Republic. Nevertheless, the Ministry supports its activity every year, with the aim of creating adequate room for the presentation of the Ruthenian language and culture. For the same reason, the Ministry responded to the requests of the Ruthenian national minority and established the Museum of the Ruthenian Culture at Prešov in 2007.

The culture of all 12 national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures at home and abroad, be it in promotion materials for tourists, or by sending them out for presentations abroad.

Inclusion of presentations of the Ruthenian folk culture in the performances of Slovak folk ensembles, is also an important form of its presentation.

## **Article 13 – Economic and Social Life**

### **Paragraphs and Sub-paragraphs chosen:**

*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;*

*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:*

*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;*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a)

Under Section 1 paragraph 4 of the Labour Code, the Civil Code shall apply to these legal relations unless the first part of the Labour Code provides otherwise. This means that the subsidiary force of the Civil Code applies to some provisions of the first part of the Labour Code (e.g. legal actions) unless the Labour Code provides otherwise.“

According to Section 8 Paragraph 2 of Act No. 270/1995 on the state language of the Slovak Republic, as amended, written legal actions in labour relations or a similar labour relation are made in the state language. For instance, a contract of employment concluded between the parties to a labour relation is such a legal action. The Labour Code does not explicitly include provisions that would forbid or exclude the possibility of having such a contract also made for example in a minority language, when the parties to the labour relations so agree. The same applies to other legal actions, such as an agreement on the modification of a contract of employment, an agreement on the termination of employment, a dismissal, an agreement on the indemnification of the employer and the like.

Act No. 312/2001 Coll. on the civil service, and on the amendment of certain other acts, (hereinafter the “Civil Service Act”), does not have any special provisions that would unreasonably forbid or restrict the use of regional or minority languages. Section 3 paragraph 2 of the Civil Service Act also prohibits discrimination on grounds of language when entering the civil service and performing civil service duties, in compliance with the principle of equal treatment. One of the requirements for admission to the civil service, under Section 14 paragraph 1 subparagraph g) of the Civil Service Act, is command of the state language. Civil servants have an obligation to have command of the state language solely because they perform civil service duties; however, this does not prevent natural persons to apply to public authorities in the minority or regional language. Civil servants have the obligation to observe all valid legal regulations related to the performance of state administration in the given field of responsibility. In official communication, they have the obligation to comply with Act No. 270/1995 Coll. on the state language of the Slovak Republic, as amended, and Act 184/1999 Coll. on the use of languages of national minorities.

Act No. 250/2007 Coll. on consumer protection, and on the amendment to Act of the Slovak National Council No. 372/1990 Coll. on administrative infractions, in the wording of later provisions, provides that “when information listed in Section 11 and 12 is given in writing, it must be done in the state language. This is without prejudice to the possibility of parallel use of other signs, mainly graphic symbols and pictograms, as well as other languages. Physical and technical quantities must be expressed in legal units of measurement“.

In respect of the State Language Act, it is necessary to emphasise that this law does not regulate the use of minority languages, and its application in practise does not result in

restricting the rights of persons belonging to national minorities to use their mother tongue in communication in public, as ensured by valid legislation in the Slovak Republic.

b):

The Labour Code explicitly provides in Article 1 (Fundamental Principles) that natural persons have the right to a free choice of employment, to fair and satisfying working conditions and to protection against unemployment. These rights belong to them without any kind of restriction, and without direct or indirect discrimination on grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied in all provisions of the Labour Code. It must be applied in the same way to work rules and other internal standards, which must comply with legal provisions.

Act No. 5/2004 Coll. on employment services, and on the amendment of certain other acts, as amended, (hereinafter the “Employment Services Act”), does not have any special provisions that would forbid or restrict the use of regional or minority languages. Nor does the amendment to the Employment Services Act which came into effect on 1 May 2008 does not include such a ban or a restriction.

The currently valid Employment Services Act defines the right to access to employment in its Section 14 as the right of a citizen who wants to work, can work, and seeks a job, to services of assistance while seeking appropriate employment, or education and training necessary to have success on the labour market. Section 14, referred to herein, further provides that citizens have the right to access to employment without any restrictions, in conformity with the principle of equal treatment in labour relations and similar legal relations provided for in Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination, and on amending and supplementing certain other laws, (the Antidiscrimination Act). In conformity with the principle of equal treatment, any discrimination on grounds of marital and family status, colour, language, political and other opinion, trade union involvement, ethnic or social origin, disability, age, property, lineage or other status is prohibited.

Legislation ensuring health and safety at work does not have special provisions that would forbid or restrict the use of regional or minority languages. Legal provisions ensuring health and safety at work oblige the employer to perform certain measures comprehensibly with respect to employees. This employer’s obligation applies mainly to briefings of employees, informing the employees, manuals and other internal instructions. In the context of legal provisions, the term “comprehensibly” includes not only the content but also the manner in which information is transferred, so that the particular employee, including those employees who use one of the minority languages, do understand.

This area is regulated mainly by legal acts mentioned on the p. 74.

c):

Act No. 365/2004 Coll. on equal treatment in certain areas and on protection against discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic. The last amendment to the antidiscrimination law has expanded protection against discrimination. In respect of Charter implementation, the provisions of Section 8a, legislating so-called specific positive action, is of importance (see p. 75)

Paragraph 2:

c):

In 2005, the operation of establishments which enforce court decisions (foster homes, foster homes for unaccompanied minors, crisis centres, resocialisation centres), was newly legislated in Act No. 305/2005 Coll. on social and legal protection of children and social guardianship and on the amendment to certain laws. Act No. 195/1998 Coll. on social assistance, as amended, regulates the operation of social care facilities.

Establishments where court decisions are enforced and social care facilities are prepared to receive and treat persons in the language they use. Persons using a regional or minority language are preferentially employed by the social care facilities in those regions where a regional or minority language is used, and the personnel of these facilities communicates both in the state language and in the regional or minority language. Employees of these facilities have command of the language of their clients. In order to foster the use of regional or minority languages, bi-lingual journals are published. Clients have also the possibility of watching TV programmes in the language they use.

The operation of these facilities is organised in such a way that in areas with a higher number of clients and employees speaking other language than Slovak, persons of Slovak nationality are not discriminated against. Cultural and social events are also organised in the pertinent minority language. In respect of hospitals, the Ministry of Health of the Slovak Republic has not received any complaint concerning failure to provide medical care due to lack of knowledge of a minority language by the personnel of the hospital. No problems of this kind occurred in practice.

#### **Article 14 – Transfrontier exchanges**

##### **Paragraphs and Sub-paragraphs chosen only for Ukrainian language:**

###### ***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.***

##### **Measures adopted to ensure the implementation of Charter provisions:**

a)

The Slovak Republic has a Treaty on Good Neighbourhood, Friendly Relations and Cooperation of 1992 concluded with Ukraine.

b):

Cross-border cooperation with Ukraine develops in compliance with the Agreement between the Government of the Slovak Republic and the Cabinet of Ministers of Ukraine on cross-

border cooperation of 5 December 2000. On this basis a Slovak-Ukrainian working group for cross-border cooperation that started to work at the Intergovernmental Commission for Trade, Economic and Scientific - Technological Cooperation between the Slovak Republic and Ukraine was created at the Ministry of Economy of the Slovak Republic on 7 March 2003. At its third session on 6 May 2004, the working group transformed into the Slovak-Ukrainian Intergovernmental Commission for Cross-Border Cooperation. In addition to the Trans-Carpathian area, it expanded its competence to also cover the Ivano-Frankiv and Lviv areas. The State Secretary of the Ministry of the Interior of the Slovak Republic is the Chair of the Commission.

Cooperation with Ukraine mainly focuses on economic-social development, development of culture and tourism in border regions, nature protection and protection of the environment down to sectoral focus such as cooperation in the area of education, culture, joint fire and civil protection and many other. The Intergovernmental Commission addresses various areas of social life at its sessions. So far, seven sessions of the Commission for Cross-Border Cooperation have been held.

## LANGUAGES: BULGARIAN, CZECH, CROATIAN, GERMAN, POLISH

### Article 8 – Education

#### Paragraphs and Sub-paragraphs chosen:

*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) 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;*

*b) iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;*

*c) iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;*

*d) 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*

*e) ii to provide facilities for the study of these languages as university and higher education subjects;*

*f) ii to offer 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.*

#### Measures adopted to ensure the implementation of Charter provisions:

Paragraph 1:

The Constitution of the Slovak Republic together with international instruments including the European Charter for Regional or Minority languages ensures persons belonging to national or ethnic minorities in the Slovak Republic, inter alia, the right to learn the state language and the right to education in their language.

a) iii:

In Slovakia, the Bulgarian national minority has one nursery school in Bratislava.



There are no Czech-language, Croatian-language, German-language or Polish-language nursery schools in the Slovak Republic's (SR) network of nursery schools. Pre-school teaching in national minority languages is arranged on an ad hoc basis according to parents' interests.

b) iii:

Act No. 29/1984 Coll. on the system of primary and secondary schools as amended (the School Act) (hereinafter the "School Act") ensures persons of other than Slovak national origin the right to education in their language at all levels and types of schools, in a scope proportionate to the interest of their national development. The exercise of these rights is reflected in the objectives, content, organisation and administration at all levels and types of schools and school facilities in the education system in the Slovak Republic.

Act No. 596/2003 Coll. on state administration in the sector of education and school self-governments and on the amendment to certain acts as amended enables councils, municipal school councils and territorial school councils to enforce the interests of local and regional self-governments, parent and teachers in the field of education, i.e. including teaching in the mother tongue.

In Slovakia, **the Bulgarian national minority has** one elementary school (Bratislava).

For those of German descent, there is education in German language available in schools or classrooms with combined-language teaching. That is, some subjects are taught in the official national language and the others are taught in German; or in those schools and/or classrooms where teaching is conducted in German as the first language, the other subjects are taught in Slovak.

Primary schools 2006/2007				
		Number of		
Language of the school	Language of the class	schools	classes	pupils
Slovak*/	Slovak	1985	22214	472713
German	German	1	4	38
Slovak-German	Slovak	1	11	281
	German		9	245
*/ German is learnt		4	35	772

Czech-language, Croatian-language and Polish-language elementary schools are not included in the network of schools and school facilities.

c), d) iii:

Secondary schools where subjects are taught in Bulgarian, Czech, Croatian, German and Polish are not included in the network of schools and school facilities. These schools and school facilities are run only based on interest from the target group they serve.

e) ii:

In accordance with the latest version of Act no. 131/2002 Coll. on institutions of higher learning and on amending and supplementing certain other acts (from hereon, the “higher education law”), study of and research on minority languages is supported. **Bulgarian** is taught at Comenius University in Bratislava and at Matej Bel University in Banská Bystrica.

**Czech** is not taught at universities in the Slovak Republic because of its extraordinary similarity to Slovak.

**Croatian** can be studied as a foreign language, especially at Comenius University in Bratislava and at Matej Bel University in Banská Bystrica.

**German** can be studied as a foreign language at Constantine the Philosopher University in Nitra, Comenius University in Bratislava, Prešov University in Prešov and Catholic University in Ružomberok.

**Polish can be studied** as a foreign language at Comenius University in Bratislava.

f) ii:

According to Section 14, paragraph 2, item c) of Act no. 596/2003 Coll. on the state administration in education and in school self-government and on amending and supplementing certain other acts as amended, a Methodological-Pedagogical Centre with headquarters in Bratislava and five offices in Bratislava, Banská Bystrica, Prešov and Trenčín is operating in the Slovak Republic. It is an organisation directly managed by the Ministry of Education of the Slovak Republic, which implements methodology and provides further education to pedagogues and non-pedagogical employees. Schools and school facilities that are managed by the local self-governments, communities and regions, as well as regional school board offices in the Slovak Republic fall under their auspices. Under the jurisdiction of the MPCs and its five branches fall the schools and school facilities established by the local governments of cities, towns and villages and regions, as well as those established by the regional school board offices in the Slovak Republic.

As regards the Czech language, since it is extraordinarily close to Slovak, there is actually no interest in education provided in Czech.

As regards **Bulgarian, Croatian, German and Czech**, please see item e) ii.

g):

In schools where subjects are taught in national minority languages (**Bulgarian language**), individual subjects are taught according to the same national curriculum as schools where teaching is provided in Slovak, with the exception of the subjects of the native language and literature of the national minority.

Elementary and secondary schools where subjects are taught in **Czech, Croatian and Polish** or where Czech language is taught as a subject, are not included in the network of schools and school facilities. For this reason, no measures have been taken to ensure teaching of the history and culture that have influenced the regional or minority language.

As regards **German language**, in the 1<sup>st</sup> – 4<sup>th</sup> classes where subjects are taught in German two variations of the curricula have been developed, which provide the opportunity to divide the classes into groups based on language – mother tongue or Slovak. For the 5<sup>th</sup> - 9<sup>th</sup> classes

in elementary schools where subjects are taught in German there is only one curriculum. Through its decision No. CD 2006-6019/13592-2:094, the Ministry of Education approved a teaching curriculum for the 5<sup>th</sup>-9<sup>th</sup> grades (classes) in elementary schools where subjects are taught in German. It is valid as of 1 September 2006. In schools where teaching is provided in German, approved teaching texts in history for elementary schools are used and teachers only prepare separate texts to acquaint students with the regional minority history.

h):

According to Section 14, paragraph 2, item c) of Act no. 596/2003 Coll. on the state administration in education and in school self-government and on amending and supplementing certain other acts as amended, a Methodological-Pedagogical Centre with headquarters in Bratislava and five other offices is operating in the Slovak Republic.

i):

The Council for National Minority Education is an advisory body to the Minister of Education of the SR for the efforts in fulfilling the tasks resulting from the Manifesto of the Government of the Slovak Republic for the period 2006 to 2010 in the field of education at schools and school facilities, their management, financing and in the area of state administration in the regional education system.

The Slovak Republic has also a Council of the Government of the Slovak Republic for National Minorities and established Ethnic Groups.

## **Article 9 – Judicial Authorities**

### **Paragraphs and Sub-paragraphs chosen:**

***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:***

***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***

***b) in civil proceedings:***

***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,***

***c) in proceedings before courts concerning administrative matters:***

*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,*

*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.*

#### **Measures adopted to ensure the implementation of Charter provisions:**

In respect of the use of regional or minority languages in proceedings before courts, the valid legal order complies with Article 47 of the Constitution of the Slovak Republic, and goes beyond the scope of the selected Charter articles.

Slovak legislation in force meets the terms of the obligations under the Charter to which the Slovak Republic committed itself, and therefore there is no need to amend the legislation. In practice, the relevant valid and effective legislation does not restrict the right to use regional or minority languages in court proceedings. The Ministry of Justice of the Slovak Republic is not aware of any case in the work of the courts where a party to proceedings would fail to refer to his/her right to use a regional or minority language.

Paragraph 1

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006 is the relevant law to criminal proceedings. The Criminal Procedure Code is in effect and it is applied in the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of Section 2 paragraph 20 of the Criminal Procedure Code: "If the accused, his/her legal guardian, victim, participating person or witness declare that he/she does not know the language of the proceedings he/she has the right to an interpreter and translator."

Under Section 28, paragraph 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter".

Under Section 28, paragraph 3 of the Criminal Procedure Code: "If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate".

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and decision after completion of pre-trial proceedings; i.e. in pre-trial proceedings, when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is established only before the court that there is a person appearing

who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.

iii:

Under Section 28, paragraph 1 of the Criminal Procedure Code: “If the content of the statement needs to be interpreted, or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as the interpreter.” The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which are related to the crime or the accused and which are in a regional or minority language are translated in compliance with Section 28 paragraph 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. the Civil Procedure Code as amended (hereinafter referred to as “the Civil Procedure Code”) is the relevant legal provision with respect to these commitments. Under Section 18 of the Civil Procedure Code: “In civil proceedings, the parties shall have an equal status. They have the right to use their mother tongue or the official language of the state, understood by them, before a court. The court shall have the obligation to ensure for them equal possibilities for the exercise of their rights“.

Under Section 141, paragraph 2 of the Civil Procedure Code: “Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

Judicial practice in civil proceedings also shows that judges mostly establish poor command of the Slovak language as late as the first hearing and therefore they assign an interpreter by ruling, adjourn the hearing and summon the interpreter to appear at the next hearing and, after performing the interpretation, to charge an interpreter’s fee. There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter. The Slovak Republic encountered no difficulty with the application of this obligation.

iii:

The effective legal order of the Slovak Republic allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense. Thus, it fully respects the pertinent provision of the Charter.

c) ii:

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code, which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to appear in person before a court, and to use one's mother tongue, apply mutatis mutandis to court proceedings in administrative cases.

iii:

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense in the same way as in civil court proceedings. Thus, the pertinent provision of the Charter is fully respected.

d):

The costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrative proceedings are borne by the State.

## **Article 10 – Administrative authorities and public services**

### **Paragraphs and Sub-paragraphs chosen:**

***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:***

***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***

***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:***

***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;***

***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:*

*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;*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) iii, iv:

Act No. 184/1999 Coll. on the use of languages of national minorities also lays down the rules for minority language usage in official communication. The Bulgarian, Croatian, Polish and Czech languages are not used in any municipality due to the fact that the population of users of any of these languages does not represent 20 per cent of the population in any municipality. The German language is used in one municipality (village of Kunešov). However, no body of state administration is based in this municipality.

Regarding Czech language, it is important to mention that according to Section 6 of Act No. 184/1999 Coll. on the use of languages of the national minorities in the application of this act “the use of the Czech language in official contact shall be deemed to satisfy the requirement of basic comprehensibility with the official language, unless otherwise specified in an international treaty binding for the Slovak Republic”.

The statement of the Consultative body of the Ministry of Interior of the Slovak Republic concerning the application of the Statute on Administrative Procedure Act No. 18 dated 31. January 2008 regarding the use of written documents in the Czech language in the administrative procedure in the administrative file as a relevant basis to prove the real and complete state of affairs:

„According to Section 32 par 2 of the Statute on Administrative Procedure serve as the basis for the decision, inter alia, filings, proposals and statements submitted by the participants of the procedure, evidence, notorious facts as well as facts acquired by the organ by virtue of its official function. According to section 34 par. 1 of the Statute on Administrative Procedure all the means, which enable to establish the real state of affairs and which are in conformity with the legal norms, can be used as evidence. As it flows from the above-mentioned norms,

relation to the subject-matter and legal conformity are the two requirements on materials used to prove the real state of affairs.

In relation to the subject-matter it is necessary to assess the capability of the presented documents to contribute to proving the facts, which are important for the result of the administrative procedure and also their comprehensibility. In case of the Czech language it is important to note, that it is commonly understood in the Slovak Republic. Some of the statutes are based on this fact and contain express terms providing for the possibility of filing documents written in Czech language. This remains unaffected by Section 7 para 1 of the statute No. 270/1995 on the official language of the Slovak republic as amended, which states that the communication of the courts with citizens, legal and administrative procedures, decisions and memorandums of courts and administrative organs are issued in the official language. This norm must be interpreted in the first place as the obligation of civil servants to use Slovak language in the course of administrative procedures.”

Slovak Republic also at the time of deposit of the instrument of ratification, the Slovak Republic stated the limit that is considered to be adequate regarding application of the obligations according to Article 10 of the Charter. This limit is 20% of persons belonging to national minorities in the municipality. The Slovak Republic took into account the interests of persons belonging to national minorities in using the minority language in official communication, the situation of individual minority languages and the real need of their protection against extinction, as well as the state’s tasks, justified interests, needs, economic efficiency and other criteria of the state. The given percentage has resulted, on the one hand, from the high number of national minorities living on the territory of the Slovak Republic and their high representation in the population and, on the other hand, Slovakia’s settlement structure characterised by a high number of municipalities with a low population.

Paragraph 2:

b):

According to Section 2 paragraph 3 of Act No. 184/1999 Coll. on the use of languages of national minorities, persons belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government bodies (hereinafter referred to as “the public authority”) also in a minority language in municipalities where persons belonging to the relevant national minority form at least 20% of the population according to the latest census of population.

c), d):

In municipalities where persons belonging to a national minority form at least 20% of the population according to the latest census of population, important information, mainly warnings, notices and health-related communications, is displayed in both the state and minority languages in public places. In such municipalities, public authorities also provide information concerning generally binding regulations under their competence in the minority language, on request.

f):

According to Section 3 paragraph 1 of Act No. 184/1999 Coll. on the use of languages of national minorities, sessions of the public authority in a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also be held in the minority language if all persons present agree.



g):

The issue of displaying traditional local names in the minority language is regulated by Act No. 191/1994 Coll. on names of municipalities in minority languages. This law states that “municipalities in which persons belonging to a national minority form at least 20% of the population shall have their name in the minority language placed on separate traffic signs marking the beginning and the end of the municipality”.

Under Act No. 184/1999 Coll. on the use of languages of national minorities (Section 4 paragraph 1), a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also have street name plates and other local geographic names in the minority language.

Paragraph 3:

c):

Rules concerning the use of languages of national minorities are regulated by the Act No. 184/1999 Coll. on the use of languages of national minorities.

Under Act No. 564/2001 Coll. on the Public Defender of Rights (Ombudsman), as amended, persons filing submissions may use their mother tongue in communication with the Ombudsman (see p. 60). The Public Defender of Rights Act makes it possible to use these languages in communication with the Public Defender of Rights even outside districts that reach the 20% threshold of population claiming a national minority origin.

In order to simplify and speed up the reviewing of submissions by the Public Defender of Rights, the Office of the Public Defender of Rights has prepared a submission form meeting all substantive particulars of the submission prescribed by law. This form has been translated into the languages of all national minorities in the Slovak Republic that are covered by the ratified provisions of the Charter, i. e. also into the Ruthenian and Ukrainian languages. The Office distributes forms for filing submissions as a part of its activities,<sup>5</sup> and these forms are also published on the website of the Public Defender of Rights, [www.vop.gov.sk](http://www.vop.gov.sk), which offers the option of direct electronic submission. In case of submissions in a language other than Slovak, the Office of the Public Defender of Rights also arranges the translation of the answer into the language of the submission, or into other language if so requested in the submission.

Since 2002, when the first Public Defender of Rights was elected in the Slovak Republic, 1 submission has been filed in the Bulgarian language, 1 submission in the Czech language, 2 submissions in the Croatian language, 15 submissions in the German language and 14 submissions in the Polish language.

Paragraph 4:

a):

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<sup>5</sup> e.g. distribution of forms to regional points of the Public defender of Rights within Slovak Republic, which register inhabitants declaring national minority origin and which are established by the Public Defender of Rights out of his own initiative

Under Act No. 154/1994 Coll. on register offices (Section 13 paragraph 4), “when notifying a birth orally, the notifying persons is required to produce his/her identity papers. If the notifying person has a speech and/or hearing impairment or the notification is made in a language the registrar has no command of, an interpreter is needed; when this interpreter is not an officially appointed interpreter, the interpreter must give an oath prescribed in a separate regulation to the registrar before whom he/she appears as interpreter. Information about interpretation and the interpreter are entered in the book of births“.

In practice, translations and interpretation in institutions providing public services are usually performed by those officers who have command of the minority language, and their clients may use this language.

c):

Public authorities in a municipality or institutions of social services are able to provide an interpreter in case of need and requirement. Applications of the employees of public services, who speak minority language for designation or transfer to the territory, where this language is used, are usually approved.

Paragraph 5:

Act No. 300/1993 Coll. on names and surnames, as amended and Act No. 154/1994 Coll. on Register Offices as amended are the relevant pieces of legislation with respect of this commitment (see p. 61).

## Article 11 – Media

### **Paragraphs and Sub-paragraphs chosen:**

*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:*

*iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;*

*b) ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

*c) 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*

*f) ii to apply existing measures for financial assistance also to audiovisual productions in the 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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) iii:

Act No. 16/2004 Coll. on Slovak Television, as amended, and Act No. 619/2003Z Coll. on Slovak Radio, as amended, are the relevant pieces of legislation with respect to minority language broadcasting in public media in the Slovak Republic. Provisions of these laws guarantee broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic; public media may establish separate organisational units to ensure the production and broadcasting of programmes for national minorities and ethnic groups. Very good conditions for the application of the selected provisions of the European Charter for Regional or Minority Languages, comparable with the standards in other EU Member States, have been created in the area of broadcasting provided by public television and radio.

**Slovak Radio** is a public, national, independent, information, cultural and educational institution providing services to the public in the field of radio broadcasting. The main activities of Slovak Radio cover broadcasting of public interest programmes, including minority language programmes, with well-balanced content and regional distribution as an integral dimension, and with a majority proportion in the broadcasting structure. In this way, Slovak Radio fulfils its mission of promoting the cultural identity of all inhabitants of the Slovak Republic.

Slovak Radio broadcasts programmes for national minorities and ethnic groups living in the territory of the Slovak Republic on its **Radio Patria** channel. Since it was put on the air in

2000, Radio Patria – Unit for national minority and ethnic group broadcasting also covers broadcasting in Ruthenian and Ukrainian languages.

The new broadcasting structure of Slovak, in effect since 1 February 2007, introduced extensive changes in Radio Patria, which has become the radio for all national minority programmes in terms of its organisation and programmes, because the programmes in individual minority languages are now broadcasted from one station. Before this change the programmes of the unit for national minority and ethnic group broadcasting in Košice were transmitted by the signal of Regina Radio, to which they were connected through different technical solutions.

The Ministry of Culture of the Slovak Republic initiated a proposal to allocate specifically dedicated funds to Slovak Radio for 2007 from the budget of the Ministry of Culture of the Slovak Republic, which was submitted to a session of the Government of the Slovak Republic. In October 2007, the Government of the Slovak Republic decided to allocate funds to the Ministry of Culture, specifically dedicated for Slovak Radio broadcasting of programmes in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic, to a total amount of SKK 45,400,000, in order to ensure compliance with the above tasks and the mission of Slovak Radio.

To date there are no public radio broadcasts provided in Bulgarian or Croatian.

Under the current programming, the editors of the national-ethnic broadcasting component have provided more space for regular broadcasts targeted to all the various ethnic groups.

In 2006, 15 hours of broadcasts in **Czech** were provided on Radio Patria, which represents 0.4% of the total amount of broadcasting in minority languages. The Czech “magazine” is broadcast alternately with the Polish and German broadcasts on Wednesdays from 8:00 to 9:00. The Czech broadcast deals with content and themes that are close to the lives and problems of members of the Czech minority living in Slovakia. The broadcast is a current news and opinion review on the life of members of the Czech minority in the Slovak Republic, including a review of the presentation of Czech cultural development. Development of the radio broadcast in Czech began in 1999. Under current programming, the editors of the national ethnic broadcasting component have provided more space for regular broadcasts targeted to all the various ethnic groups, including the Czechs.

In 2006, there were 17 hours broadcast in **German** on Radio Patria, which represents 0.5% of the total broadcasting in minority languages. The German “magazine” is broadcast alternately with the Czech and Polish broadcasts on Wednesdays from 8:00 to 9:00. The German broadcast deals with content and themes that are close to the lives and problems of members of the German minority living in Slovakia. It is a program devoted to culture, history and opinion prepared in close cooperation with national ethnic associations and organisations.

In 2006, there were seven hours broadcast in **Polish** on Radio Patria, which represents 0.2% of the total broadcasting in minority languages. The Polish “magazine” is broadcast alternately with the Czech and German broadcasts on Wednesdays from 8:00 to 9:00. The Polish broadcast deals with content and themes that are close to the lives and problems of members of the Polish minority living in Slovakia. It is a broadcast devoted to all social, cultural and economic events and phenomena. There are also sporadic reports directly from Poland. The Polish magazine has been being produced since the year 2000.

Regarding broadcasting of television programmes in minority languages Act No. 16/2004 Coll. on the Slovak Television as amended is of relevance. This act guarantees broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic; public media may establish separate organisational units to ensure the production and broadcasting of programmes for national minorities and ethnic groups. Very good conditions for the application of the selected provisions of the European Charter for Regional or Minority Languages, comparable with the standards in other EU Member States, have been created in the area of broadcasting provided by public television and radio.

**Slovak Television** broadcasts on a rotating schedule programs for the Bulgarian, German, Czech, Jewish, Polish, Ruthenian, and Ukrainian ethnic populations. These are editorial programs, which are broadcast on a rotating basis on Tuesdays at 16,30pm for 26 minutes.

In 2006, there were 2.6 hours of television broadcast in **Bulgarian**, which represents 1.19% of the total broadcasting presented in minority languages.

In 2006, there were 6.52 hours of television broadcast in **Czech**, which represents 2.99% of the total broadcasting presented in minority languages.

In 2006, Slovak Television presented no broadcasts in **Croatian**.

In 2006, there were 5.18 hours of television broadcast in **German**, which represents 2.37% of the total broadcasting presented in German.

In 2006, there were 2.55 hours of television broadcast in **Polish**, which represents 1.17% of the total broadcasting presented in Polish.

b) ii:

The Constitution of the Slovak Republic provides in Article 34 paragraph 1 that “citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, [and] to establish and maintain educational and cultural institutions.”

Act No. 308/2000 Coll. on broadcasting and retransmission, and on amending Act No. 195/2000 Coll. on telecommunications, as amended, guarantees the right to free and independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within its scope of legislation. This law makes it possible for the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within its scope of legislation.

The Council for broadcasting and retransmission does not have any information on the numbers of licence holders that broadcast in the Bulgarian, Croatian, Czech, German and Polish language.

c) ii:

In the Slovak Republic, 116 licence holders currently provide television broadcasting. The Council for broadcasting and retransmission does not have any information on the numbers of licence holders that broadcast in the Bulgarian language.

According to statistical surveys, on the basis of the programme services on offer, some 33% of households make use of services for retransmission of programmes from the so-called kin countries. In the territory of the Slovak Republic, television signals can be received from several television stations (public and private) from neighbouring countries. According to the Act on broadcasting and retransmission the transmit of broadcasting is also possible in the south or eastern Slovakia. This kind of broadcasting can not be registered in case of satellite broadcasting.

d):

In addition to the above legal provisions concerning media, the relevant legislation in respect of the implementation of this commitment also includes Act No. 220/2007 Coll. on digital broadcasting of programme services and on provision of other content services through digital transmission, and on amendments to several acts (the Digital Broadcasting Act), effective from 31 May 2007. This law liberalises the authorisation scheme for television and radio broadcasting, and creates room for the creation of new platforms for the provision of on-line services (e.g. e-government, e-learning, e-culture and the like). The register of digital terrestrial services is based on an approach to content different from the programme service; the register of content services providers is a hot-line alternative in the meaning of Council of Europe Recommendation (2001)8.

Act No. 343/2007 Coll. on conditions of registration, public broadcasting and preservation of audiovisual works, multimedia works and sound recordings of artistic performances, and on the change of and amendment to some laws, (hereinafter the "Audiovisual Act"), came into effect on 1 January 2008. Under Section 17 paragraph 4, this law provides for the possibility of presenting audio-visual works also in the original language, except for performances for minors under 12 years of age in time slots appropriate for such minors. This approach has opened more room for audiovisual works presentation in the languages of national minorities.

e) i:

Act No. 81/1966 Coll. on periodical press and other mass media, as amended, is a general legal provision not limited to publishing of periodical press in national minority languages. On the other hand, it does not contain any specific provisions concerning periodical or non-periodical press of national minorities and ethnic groups.

In the Slovak Republic, the publication of periodical and non-periodical press in the languages of national minorities and ethnic groups is supported through state subsidies provided by means of the grant system of the Ministry of Culture of the Slovak Republic.

In the field of **periodical literature**, the grant scheme of the Ministry of Culture is the vehicle for support of culture pages and supplements in newspapers and journals, as well as periodicals covering the cultural life of the Hungarian national minority, journals relating to literature, art sciences, art reviews and student, university journals and magazines for children.

**Number of titles and financial volume of support to periodicals in the Bulgarian language:**

Year	Number of titles	Financial volume of support (SKK)
2006	1	310 000
2007	1	360 000

The Ministry of Culture of the Slovak Republic supported periodical in Bulgarian language „Sanarodnik – Krajan“.

**Number of titles and financial volume of support to periodicals in the Czech language:**

Year	Number of titles	Financial volume of support (SKK)
2005	2	1 505 000
2006	1	1 585 000
2007	1	1 498 000

The Ministry of Culture of the Slovak Republic supported periodical in the Czech language „Česká beseda“ (in 2005 - 1 495 000,-SKK, in 2006 - 1 585 000,-SKK and in 2007 - 1 498 000,-SKK).

**Number of titles and financial volume of support to periodicals in the Croatian language:**

Year	Number of titles	Financial volume of support (SKK)
2005	1	337 000
2006	1	428 000
2007	1	428 000

The Ministry of Culture of the Slovak Republic supported periodical in the Croatian language „Hrvatska Rosa“. The financial volume of support is specified below.

**Number of titles and financial volume of support to periodicals in the German language:**

Year	Number of titles	Financial volume of support (SKK)
2005	2	973 000
2006	2	1 032 000
2007	1	920 000

The Ministry of Culture of the Slovak Republic supported periodical in the German language “Karpatenblatt” (in 2005 – 815 000,-SKK, in 2006 – 850 000,-SKK and in 2007 – 920 000,-SKK).

**Number of titles and financial volume of support to periodicals in the Polish language:**

Year	Number of titles	Financial volume of support (SKK)
2005	1	500 000
2006	1	660 000
2007	1	800 000

The Ministry of Culture of the Slovak Republic supported periodical in the Polish language Monitor Polonijny.

f) ii:

The Ministry of Culture of the Slovak Republic has drafted an effective, impartial and transparent procedure for granting funds from the dedicated transfer from the Ministry of Culture to the culture of individual national minorities. Individual national minorities are allocated dedicated funds for cultural activities and for periodical and non-periodical press through the Ministry of Culture’s grant scheme. This meets the requirements for the fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since national minorities and ethnic groups are given room to develop and use their own language as the bearer of their cultural heritage and preservation of their linguistic identity.

Another significant step forward occurred in the 2008 grant scheme on the Culture of National Minorities. In 2008, the Ministry of Culture of the Slovak Republic has more funds available for the grant scheme on the Culture of National Minorities, the electronic registration processes has become more transparent and simpler, the internal application handling procedure from the time of application filing to grant of funds to individual applicants has been shortened, and a more detailed structure of the programmes ensuring more conceptual preparation, processing and work of technical commissions has been drafted, hence, a higher satisfaction of applicants for grants should be achieved, the application electronic registration system has been improved – all forms are now available in electronic form, the number of eligible items in the budgets has been increased, and all technical grant commissions were given a special code, which gives the members of individual commissions a period of two months to study the projects, which made their decision-making more professional, conceptual and fairer.

Paragraph 2:

In the territory of the Slovak Republic, television and radio signals from several television and radio stations (public and private) from neighbouring countries can be received. According to the Act on broadcasting and retransmission the transmission of broadcasting is possible in the south or eastern Slovakia. This kind of broadcasting is not registered in case of satellite broadcasting. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.



Paragraph 3:

The Slovak Television Council and the Slovak Radio Council are the competent bodies to approve broadcasting concepts and plans also in respect of ensuring broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups (see p. 63).

To complete the picture, we note that all topical questions concerning minority languages including media are discussed at the level of the Council of the Government for National Minorities and Ethnic Groups where all national minorities living in the Slovak Republic are represented (see p. 64).

## Article 12 – Cultural activities and facilities

### Paragraphs and Sub-paragraphs Chosen:

*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;*

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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1

a):

The Slovak Republic promotes publishing of periodicals and non-periodical literature in the Bulgarian language through the Ministry of Culture of the Slovak Republic.

In the field of **periodical literature**, the grant system of the Ministry of Culture is the vehicle to support culture pages and supplements to newspapers and journals as well as periodicals covering the cultural life of the national minorities, journals on literature, art science and art criticism; student, university journals and magazines for children. The allocation of support to live culture, periodical and non-periodical print media is decided by the particular grant commission. Detailed information on the number of titles and volume of funds given to periodicals in the Bulgarian, Croatian, Czech, German and Polish languages is presented in Article 11 – Media.

The task of the grant scheme in the area of **non periodical literature** of national minorities is to support publishing activities and publications enhancing the identity of national minorities through original creation, fiction, technical, scientific literature and translations. The subsidy is also meant for bringing out audio recordings of national minority authors, where it should mainly be used to partially cover the costs linked with the production of CDs.

The financial volume of support of the Ministry of Culture of the Slovak Republic for the Bulgarian non-periodical was 80 000,-SKK in the year 2005.

**Number of titles and financial volume of support to non-periodical literature in the Czech language:**

Year	Number of titles	Financial volume of support (SKK)
2005	2	130 000
2006	0	0
2007	1	84 000

**Non-periodicals in the Czech language in the year 2007:**

Organisation	Title	Grant	Increased sum	Together
PhDr. Pavel Khun, PhD.	Československo a Masarykov duchovní odkaz, Česi na Slovensku v době jeho zániku (Czechoslovakia	84 000,-SKK		

	and Masaryk's spiritual message, the Czechs in Slovakia in the age of its end)			
		84 000,-Sk		84 000,-SKK

Presentation and characteristic elements of **the Czech language** are supported by the Ministry of Culture of the Slovak Republic through the Museum of Czech Culture in Slovakia. In 2007, the Ministry of Culture of the Slovak Republic provided SKK 2,099,000 for the museum's operations. The Museum of Czech Culture in Slovakia is the youngest of the permanent exhibitions of the Slovak National Museum in Martin and brings to its viewers the unique environment and work of husband and wife Anna Horáková, PhD and Jiří Horák, academic. The Horáks were important figures in the documentation of the traditional relations between Czechs and Slovaks.

**Number of titles and financial volume of support to non-periodical literature in the Croatian language:**

Year	Number of titles	Financial volume of support (SKK)
2007	1	100 000

**Non-periodicals in the Croatian language in the year 2007:**

Organisation	Title	Grant	Increased sum	Together
Chorvátsky kultúrny zväz na Slovensku – Hrvatski kulturni savez u Slovačkej (The Croatian cultural association)	Rok v piesňach Jaroviec (A year of songs of Jarovce)	100 000,-SKK	100 000,-SKK	100 000,-SKK

Presentation and characteristic elements of the **Croatian language** are supported through the Museum of Croatian Culture in Slovakia. The Centre was founded in 1996 on the grounds of the Slovak National Museum – Historical Museum as a working centre focused on the history and culture of the Croatian national minority in Slovakia. Since its founding, the centre has aimed to become an independent, specialised museum of the national minority with nationwide coverage that functions as part of the network of Slovak National museums similar to other national minority museums. This process was implemented in 2006. The offices moved to a new building built for the purpose in Devinská Nová Ves. The museum is a documentation, research and methodological centre devoted to the history and culture of Croats in Slovakia since their arrival on the territory of present-day Slovakia until the present. It collects, preserves, processes and exhibits items and documents connected with its theme. In 2007, the Ministry of Culture of Slovak Republic provided SKK 2,036,000 for the museum's operations.

**Non-periodicals in the German language in the year 2007:**

<b>Year</b>	<b>Number of titles</b>	<b>Financial volume of support (SKK)</b>
2006	2	70 000
2007	7	492 000

The following non-periodicals **in the German language** in the year 2007:

<b>Organisation</b>	<b>Title</b>	<b>Grant</b>
Karpatskonemecký spolok na Slovensku – Karpatendeutscher in der Slowakei (Carpathian-German Association in Slovakia)	Dejiny a kultúra Karpatských Nemcov (History and Culture of the Carpathians Germans)	130 000,- SKK
Karpatskonemecký spolok na Slovensku – Karpatendeutscher in der Slowakei (Carpathian-German Association in Slovakia)	Karpatskonemecký spolok na Slovensku – bulletin (Carpathian-German association in Slovakia – bulletin)	70 000,- SKK
Karpatskonemecký spolok na Slovensku – Karpatendeutscher in der Slowakei (Carpathian-German Association in Slovakia)	Hauerland unser Heimatland / Hauerland, naša vlast' (Hauerland, our mother land)	100 000,- SKK
Karpatskonemecký spolok na Slovensku – Karpatendeutscher in der Slowakei (Carpathian-German Association in Slovakia)	Nahrávanie CD pod názvom: Unterzips in Wort und Lied	48 000,- SKK
Karpatskonemecký spolok na Slovensku – Karpatendeutscher in der Slowakei (Carpathian-German Association in Slovakia)	Přerovská tragédia karpatských Nemcov (Prerov tragedy of Carpathian Germans)	24 000,- SKK

Karpatskonemecký spolok na Slovensku – Karpatendeutscher in der Slowakei (Carpathian-German Association in Slovakia)	Nahrávanie CD pod názvom: Volkslieder aus Metzenseifen und Umgebung / Ľudové piesne z Medzeva a okolia (CD Folk songs from Medzevo)	28 000,- SKK
Karpatskonemecký spolok na Slovensku – Karpatendeutscher in der Slowakei (Carpathian-German Association in Slovakia)	Ingrid Lang: Výber z tvorby (Choice of work)	96 000,- SKK
<b>Together:</b>		492 000,- SKK

Presentation and characteristic elements of the German language are supported by the Ministry of Culture of Slovak Republic through the Museum of Culture of the Carpathian Germans in Bratislava. In 2007, the Ministry of Culture provided SKK 2,973,000 for its operations. As almost all the minority museums, the Museum of Culture of the Carpathian Germans was founded as a part of the Historical Museums of the Slovak National Museum. In 1997, it became independent and now functions as one of the specialised museums with nationwide reach. It is a documentation, research and methodological centre focused on the history and culture of Carpathian Germans in Slovakia since their arrival on the territory of Slovakia until the present. The museum collects, preserves, processes and presents items and documents connected with its theme. The collections cover all aspects of life of the Carpathian Germans – clothing, textiles, home-based and craft production, industrial products, works of art, sacred items and other items. The museum is located in Bratislava. There is also an exhibition in Nitrianske Pravno devoted to the history and culture of Hauerland.

b):

The production of cultural expressions in regional or minority languages is approached in several ways. These mainly include translations of works in regional or minority languages into the Slovak language using grants from the Art subprogramme of the grant scheme of the Ministry of Culture of the Slovak Republic, this subprogramme targets the publishing of translations of belles-lettres and translations of scientific literature on arts and social sciences. The support to presentations of culture produced in regional or minority languages also takes the form of theatre plays, performances in theatres, and exhibitions presenting national minorities in museums and galleries.

For example, the Ministry of Culture the Slovak Republic supported a **traditional evening of Bulgarian culture** and folklore in the amount of SKK 112,000.

Given the similarities of the Czech and Slovak languages and the existence of a common state of Czechs and Slovaks until 1993, Czech literature is very significantly represented in Slovakia; and not only in translation but also by Czech literature itself as published by the Czechs.

As regards Croatian language, the Ministry of Culture of Slovak Republic supported, for example, Days of Croatian Culture, an event focused on presenting the Croatian community and its activities and increasing awareness of their ethnic minority culture among Slovaks. The project was supported in the sum of SKK 200,000.

The Ministry of Culture of Slovak Republic also supported an **exhibition of the Polish national minority** (children's art) in 2007 in Košice in the amount of SKK180,000.

c):

Access to works in other than regional or minority languages is provided by aiding and developing translation activities. Through its grant scheme, the Ministry of Culture of the Slovak Republic spends significant amounts of funds on support to publishing and publication activities of the Ruthenian national minority for publishing translations of literature in the Ruthenian language. See answer 1. a).

In December 2006, the Government of the Slovak Republic approved the Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the strategy in the field of minority cultures is to have by 2010 written information (descriptions) on the exhibited collection items, other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and in the case of specialised expositions, in the minority languages, in addition to the state language and English.

d):

In December 2006, the Government of the Slovak Republic approved the Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The policy includes the task to fully prepare and start installations of standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities and ethnic groups by 2011.

The Slovak Republic continuously pursues inclusion of cultural activities of individual national minorities into the cultural life of the majority society through the Ministry of Culture of the Slovak Republic. The Ministry of Culture of the Slovak Republic annually supports several cultural events featuring cultural ensembles of national minorities, with the aim of promoting projects presenting minority culture to the majority population through its grant scheme, to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination. In 2007, the Ministry of Culture of the Slovak Republic engaged in the European Year of Equal Opportunities to All using the mechanisms of the grant scheme and/or Culture of National Minorities and Culture of Disadvantaged Groups of the Population grant programmes mainly through cultural activities facilitating creation of equal opportunities in culture and improvement of conditions for culture availability and the production of minority cultures.

Each year, the Ministry of Culture of Slovak Republic gives significant sums to amateur groups presenting minority culture in Slovakia. The goal of the Ministry's giving is to support and develop the national culture of persons belonging to national minorities in Slovakia through support of the amateur culture, performances of the folk ensembles that present and promote the language, culture and folklore of the national minorities. The Festival of Minority Cultures – Minority Cultural Summer, presenting the culture of national minorities and the culture of disadvantaged groups of population, can be mentioned as an example. In addition to the presentations of Roma, Croatian and German minority culture, the majority population and visitors from abroad to the city (the event was an autonomous part of an important summer cultural activity – Bratislava Cultural Summer and Castle Festival), the German folk group Marmon from Chmel'nica also performed there.

**Support of the Bulgarian culture in the year 2007:**

<b>Bulgarian minority</b>	<b>Number of projects</b>	<b>SKK</b>
Live culture	6	420 000
Periodical print	1	360 000
Together	7	780 000

In the year 2008 the presumed financial volume of support of the Ministry of Culture of the Slovak Republic for the Bulgarian minority culture is 850 000,-SKK.

The Ministry of Culture of the Slovak Republic in the year 2007 supported 45 projects (2 868 000,-SKK) of live culture of the Czech national minority.

**Support of the Czech culture in the year 2007:**

<b>Czech minority</b>	<b>Number of projects</b>	<b>SKK</b>
Live culture	45	2 868 000
Periodical print	1	1 498 000
Non-periodical print	1	84 000
Together	47	4 450 000

**Support of the Croatian culture in the year 2007:**

<b>Croatian minority</b>	<b>Number of projects</b>	<b>SKK</b>
Live culture	5	922 000
Periodical print	1	428 000
Non-periodical print	1	100 000
Together	7	1 450 000

In 2008 the Ministry of Culture of the Slovak Republic plans to support the cultural activities of the **Croatian national minority** with the amount 1 550 000,-SKK.

Each year, the Ministry of Culture of Slovak Republic gives significant sums to amateur groups presenting **German culture** in Slovakia. The goal of the Ministry's giving is to support and develop the national culture of Germans living in Slovakia, whether it be amateur

concerts of German brass band music or folk groups that present and promote German folklore. In the year 2007, the Ministry's support for living culture of the German national minority amounted to SKK 1,595,000 for a total of 39 projects.

**Support of the German culture in the year 2007:**

<b>German minority</b>	<b>Number of projects</b>	<b>SKK</b>
Live culture	39	1 595 000
Periodical print	1	920 000
Non-periodical print	1	492 000
Together	41	3 007 000

**Support of the Polish culture in the year 2007:**

<b>Polish minority</b>	<b>Number of projects</b>	<b>SKK</b>
<b>Live culture</b>	8	750 000
<b>Periodical print</b>	1	800 000
<b>Together</b>	9	1 550 000

The Ministry of Culture of the Slovak Republic plans to support the Polish minority culture with the financial volume of 1 650 000,-SKK.

e)

All organisations fostering, developing and presenting national minority cultures in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic and theatres run by the individual self-governing regions are headed by persons belonging to the relevant national minority.

f)

The Ministry of Culture of the Slovak Republic provides administrative support to the activities of the twelve 12 grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Members include representatives of all regions and experts on all areas of culture. These commissions, being advisory bodies to the Minister of Culture, give a technical evaluation of all applications for subsidies for the respective national minority, and propose the amount of the grant. They elect the chair of the commission from among themselves. At the same time, grant commissions define the annual priorities for support to the culture of the individual national minority. The officer of the Section for Regional and Regional Cultures (which is responsible for the grant scheme of the Ministry of Culture of the Slovak Republic – Culture of National Minorities) is only the secretary of the commission, without voting right, and arranges the organisational and administrative preparation of projects for the session of the commission.



**Support of the Ministry of Culture of the Slovak Republic for the cultural activities of the Bulgarian national minority:**

2005	489 000,-SKK
2006	576 000,-SKK
2007	780 000,-SKK
2008	850 000,-SKK

**Support of the Ministry of Culture of the Slovak Republic for the cultural activities of the Czech national minority:**

Year 2005	3 361 000,-SKK
Year 2006	4 555 000,-SKK
Year 2007	4 450 000,-SKK

The Ministry of Culture of the Slovak Republic plans to use 5,000,000,-SKK on the cultural activities of the Czech national minority in 2008.

**Support of the Ministry of Culture of the Slovak Republic for the cultural activities of the Croatian national minority:**

Year 2005	1 000 000,- SKK
Year 2006	1 350 000,- SKK
Year 2007	1 450 000,- SKK
Year 2008	1 550 000,- SKK

**Support of the Ministry of Culture of the Slovak Republic for the cultural activities of the German national minority:**

Year 2005	2 217 000,-SKK
Year 2006	3 010 000,-SKK
Year 2007	3 007 000,-SKK

The Ministry of Culture of the Slovak Republic plans to use 3,500,000,-SKK on the cultural activities of the German national minority in 2008.

**Support of the Ministry of Culture of the Slovak Republic for the cultural activities of the Polish national minority:**

Year 2005	1 000 000,-SKK
Year 2006	1 250 000,-SKK
Year 2007	1 550 000,-SKK
Year 2008	1 650 000,-SKK

g)

The Ministry of Culture of the Slovak Republic supports NGOs which have the task of collecting, archiving and publishing works in regional or minority languages, through its grants programmes every year. The most important of them is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) at Šamorín that collects, archives and publishes works on the issues of national minorities living in Slovakia. The Ministry of Culture of the

Slovak Republic has supported its operation every year. In 2003, the Forum Minority Research Institute received SKK 880,000 from the Ministry of Culture of the Slovak Republic for the support of their projects and in 2007, support was even as much as SKK 3,535,000. The main mission of the Institute is to study national minorities living on the territory of Slovakia. The Šamorín based Forum Minority Research Institute publishes the “National Minorities in Slovakia” analytical yearbook every year.

Paragraph 2:

Based on Act No. 184/1999 Coll. on the use of languages of national minorities, Section 2: when nationals of the Slovak Republic are persons who belong to a national minority form at least 20% of the population of a municipality according to the latest census of population, they may use the minority language in their official communication in this municipality. Persons belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government bodies also in their minority language in a municipality referred to in paragraph 1. The public authority in any municipality meeting the conditions of paragraph 1 shall also reply in the minority language in addition to the state language, except for public deeds. At request, decisions and official forms are also issued in the minority language.

Under Section 4 of the quoted Act: In their territory, municipalities may display the names of streets and other local geographical indications also in a minority language; important information, mainly warnings, notices and health-related communications are displayed in public places in both in the State and minority languages.

The Ministry of Culture of the Slovak Republic fosters the culture of national minorities through its grant scheme regardless of the percentage of the pertinent national minority in the region. When complying with all particulars, civil national minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities. The decisive criterion in approving an application is the actual need of the grant – the reasons for and justification of promoting cultural activities in these regions.

Paragraph 3:

The culture of all 12 national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures at home and abroad, be it in promotion materials for tourists, or by sending them out for presentations abroad.

One significant form of presenting national minority cultures is through its inclusion in programs of Slovak folklore groups and through presentations by amateur minority culture groups in Slovakia as well as abroad. For example, Czech culture is presented not only in the form of folklore, but also with the help of Czech literature and visual arts and design in Slovakia’s exhibition spaces. Since the Czechs and Slovaks had a common state until 1993, Czech culture is deeply enrooted in all regions of Slovakia.

## Article 13 – Economic and social life

### Paragraphs and Sub-paragraphs Chosen:

*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;*

*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:*

*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;*

### Measures adopted to ensure the implementation of Charter provisions:

Paragraph 1:

a)

Under Section 1 paragraph 4 of the Labour Code, the Civil Code shall apply to these legal relations unless the first part of the Labour Code provides otherwise. This means that the subsidiary force of the Civil Code applies to some provisions of the first part of the Labour Code (e.g. legal actions) unless the Labour Code provides otherwise.“

According to Section 8 Paragraph 2 of Act No. 270/1995 on the state language of the Slovak Republic, as amended, written legal actions in labour relations or a similar labour relation are made in the state language. For instance, a contract of employment concluded between the parties to a labour relation is such a legal action. The Labour Code does not explicitly include provisions that would forbid or exclude the possibility of having such a contract also made for example in a minority language, when the parties to the labour relations so agree. The same applies to other legal actions, such as an agreement on the modification of a contract of employment, an agreement on the termination of employment, a dismissal, an agreement on the indemnification of the employer and the like.

Act No. 312/2001 Coll. on the civil service, and on the amendment of certain other acts, (hereinafter the “Civil Service Act”), does not have any special provisions that would unreasonably forbid or restrict the use of regional or minority languages. Section 3 paragraph 2 of the Civil Service Act also bans discrimination on grounds of language when entering the civil service and performing civil service duties, in compliance with the principle of equal treatment. One of the requirements for admission to the civil service, under Section 14 paragraph 1 subparagraph g) of the Civil Service Act, is command of the state language. Civil servants have an obligation to have command of the state language solely because they perform civil service duties; however, this does not prevent natural persons to apply to public authorities in the minority or regional language. Civil servants have the obligation to observe all valid legal regulations related to the performance of state administration in the given field of responsibility. In official communication, they have the obligation to comply with Act No. 270/1995 Coll. on the state language of the Slovak Republic, as amended, and Act 184/1999 Coll. on the use of languages of national minorities.

Act No. 250/2007 Coll. on consumer protection, and on the amendment to Act of the Slovak National Council No. 372/1990 Coll. on administrative infractions, in the wording of later provisions, provides that “when information listed in Section 11 and 12 is given in writing, it must be done in the state language. This is without prejudice to the possibility of parallel use of other signs, mainly graphic symbols and pictograms, as well as other languages. Physical and technical quantities must be expressed in legal units of measurement“.

In respect of the State Language Act, it is necessary to emphasise that this law does not regulate the use of minority languages, and its application in practise does not result in restricting the rights of persons belonging to national minorities to use their mother tongue in communication in public, as ensured by valid legislation in the Slovak Republic.

b)

The Labour Code explicitly provides in Article 1 (Fundamental Principles) that natural persons have the right to a free choice of employment, to fair and satisfying working conditions and to protection against unemployment. These rights belong to them without any sort of restriction, and without direct or indirect discrimination on grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied in all provisions of the Labour Code. It must be applied in the same way to work rules and other internal standards, which must comply with legal provisions.

Act No. 5/2004 Coll. on employments services, and on the amendment of certain other acts, as amended, (hereinafter the “Employment Services Act”), does not have any special provisions that would forbid or restrict the use of regional or minority languages. Nor does the amendment to the Employment Services Act which came into effect on 1 May 2008 does not include such a ban or a restriction.

The currently valid Employment Services Act defines the right to access to employment in its Section 14 as the right of a citizen who wants to work, can work, and seeks a job, to services of assistance while seeking appropriate employment, or education and training necessary to have success on the labour market. Section 14, referred to herein, further provides that citizens have the right to access to employment without any restrictions, in conformity with the principle of equal treatment in labour relations and similar legal relations provided for in Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination, and on amending and supplementing certain other laws, (the

Antidiscrimination Act). In conformity with the principle of equal treatment, any discrimination on grounds of marital and family status, colour, language, political and other opinion, trade union involvement, ethnic or social origin, disability, age, property, lineage or other status is prohibited.

Legislation ensuring health and safety at work does not have special provisions that would forbid or restrict the use of regional or minority languages. Legal provisions ensuring health and safety at work oblige the employer to perform certain measures comprehensibly with respect to employees. This employer's obligation applies mainly to briefings of employees, informing the employees, manuals and other internal instructions. In the context of legal provisions, the term "comprehensibly" includes not only the content but also the manner in which information is transferred, so that the particular employee, including those employees who use one of the minority languages, do understand.

This area is regulated mainly by legal acts mentioned on the p. 82.

c)

Act No. 365/2004 Coll. on equal treatment in certain areas and on protection against discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic. The last amendment to the antidiscrimination law has expanded protection against discrimination. In respect of Charter implementation, the provisions of Section 8a, legislating so-called specific positive action, is of importance.

Paragraph 2:

c):

In 2005, the operation of establishments which enforce court decisions (children's homes, children's homes for unaccompanied minors, crisis centres, resocialisation centres), was newly legislated in Act No. 305/2005 Coll. on social and legal protection of children and social guardianship and on the amendment to certain laws. Act No. 195/1998 Coll. on social assistance, as amended, regulates the operation of social care facilities.

Establishments where court decisions are enforced and social care facilities are prepared to receive and treat persons in the language they use. Persons using a regional or minority language are preferentially employed by the social care facilities in those regions where a regional or minority language is used, and the personnel of these facilities communicates both in the state language and in the regional or minority language. Employees of these facilities have command of the language of their clients. In order to foster the use of regional or minority languages, bi-lingual journals are published. Clients have also the possibility of watching TV programmes in the language they use.

The operation of these facilities is organised in such a way that in areas with a higher number of clients and employees speaking other language than Slovak, persons of Slovak nationality are not discriminated against. Cultural and social events are also organised in the pertinent minority language. In respect of hospitals, the Ministry of Health of the Slovak Republic has not received any complaint concerning failure to provide medical care due to lack of knowledge of a minority language by the personnel of the hospital. No problems of this kind occurred in practice.

## LANGUAGES: CZECH, GERMAN, POLISH

### Article 14 – Transfrontier exchanges

#### Paragraphs and Sub-paragraphs Chosen:

*The Parties undertake:*

*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.*

#### Measures adopted to ensure the implementation of Charter provisions:

##### CZECH LANGUAGE:

b):

In 2002, on the basis of Article 8 of the Agreement between the Government of the Slovak Republic and the Government of the Czech Republic on Cross-Border Cooperation, a Slovak-Czech inter-governmental committee for cross-border cooperation (from hereon the “committee”) was created. Its goal is to support and coordinate cross-border cooperation between local and regional bodies. Its task is also the establishment of general guidelines and forms of cross-border cooperation, development of recommendations on the basis of decisions by common coordinating bodies of the state administration and the self-governments and resolution of conflict which hinder this cooperation.

On the Czech side, the committee consists of the chairman – a representative of the Ministry for Local Development of the Czech Republic and representatives: Deputy Minister of the Ministry of Interior of the Czech Republic and a representative of the Ministry of Foreign Affairs of the Czech Republic, as well as the following members: regional governors of the border regions (Southern Moravian region, Zlín region and Moravian-Silesian region) and the chairmen of the Czech parts of the border Euroregions (Beskydy region, White Carpathians region, Association of Towns and Cities of Southern Moravia).

In its meetings, the committee deals with various issues related to its main work. So far, it has met seven times.

##### GERMAN LANGUAGE

b):

**The Framework Agreement between the Slovak Republic and the Austrian Republic on Cross-border Cooperation between Territorial Units or Bodies** was signed on 25 October 2003 and went into effect on 1 September 2004 after an exchange of letters of ratification.

Under this agreement, cross-border cooperation is developed in the field of regional development, cross-border transportation, territorial planning, protection of nature and the environment, waste management, education, culture, sports and free time, healthcare, tourism, agriculture and nutrition, social issues, mutual assistance during catastrophes and prevention of crime.

An intergovernmental committee on cross-border cooperation between the Slovak Republic and the Austrian Republic has not been created.

## **Slovak-Bavarian mutual cooperation in the area of public administration**

Official contact between the governments of the Free State of Bavaria and the central bodies of the Slovak Republic's state administration began in the year 1991 when a mixed Slovak-Bavarian inter-governmental committee was created. This committee meets once a year alternately in Bratislava and Munich. Along with broad cooperation among the police forces, cooperation between the two sides is focused on the field of public administration and questions of modernisation and function of the system of public administration, the issue of education of the lecturers who train public administration employees, elected officials of self-governments and the trainers themselves. The representatives' meetings regularly include an exchange of ideas and practical experience on strategic development of public administration with the goal of dealing with current issues of the self-governments.

An effective activity in the field of public administration was regular, annual seminars for mayors and employees of city administrations in Slovakia and Bavaria, which provided information to participants on general management of public administration in Bavaria and dealt with specific themes of public administration at the local level. The Bavarian partners present to Slovak participants their system of financing territorial self-government, fiscal decentralisation, European law and European integration, education, the social system, community waste management, protection against floods, public-private partnerships and issues of cross-border cooperation.

## **POLISH LANGUAGE**

Cross-border cooperation between the Slovak Republic and the Polish Republic is carried out on the basis of the Agreement between the Government of the Slovak Republic and the Government of the Polish Republic on Cross-Border Cooperation, which took effect on the day of the exchange of diplomatic notes, that is on 19 January 1995, on the basis of Article 11, para. 1 published in Act No. 44/1995 Coll.

In accordance with this agreement, a Slovak-Polish intergovernmental committee for cross-border cooperation with 12 working groups has been operating since 1996. In addition to a focus on broad issues of bilateral cooperation, the priority task of the committee is to create conditions for development of border regions which strengthens relations between territorial self-governments of both countries, local bodies of the state administration and the activities they implement. The Chairman of the Slovak part of the Slovak-Polish intergovernmental committee for cross-border cooperation is the Second State Secretary of the Ministry of Interior of the Slovak Republic.

Based on the principle of parity, working groups in the Slovak part of the intergovernmental committee work on the following areas: development for coordination of border regions; for transportation; economic cooperation; environmental protection and forestry; culture; education and youth exchanges; cross-border cooperation of territorial self-governments; agriculture and nutrition; land planning and construction; work and social policy; cooperation and mutual assistance during catastrophes, natural disasters and other serious accidents; and protection of health and emergency medical services. The last of the twelve meetings of the committee took place in July 2007 in Bardejovské Kupele.

The importance of mutual cross-border and Euroregional relations is growing. At present, there is also development of Euroregions along the Slovak-Polish border, (the Carpathian Euroregion, the Tatras Euroregion and the Beskydy Euroregion) which are established based on the territorial principle of the self-governing bodies of the cities, towns and higher territorial units.



## ROMA LANGUAGE

### Article 8 – Education

#### Paragraphs and Sub-paragraphs chosen:

*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) 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;*

*b) iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;*

*c) iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;*

*d) 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*

*e) ii to provide facilities for the study of these languages as university and higher education subjects;*

*f) ii to offer 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.*

#### Measures adopted to ensure the implementation of Charter provisions:

Paragraph 1:

The Constitution of the Slovak Republic together with international instruments including the European Charter for Regional or Minority languages ensures persons belonging to national or ethnic minorities in the Slovak Republic, inter alia, the right to learn the state language and the right to education in their language.

a) iii:

The network of nursery schools currently does not include any pre-school education in Roma language as the language of education.

b) iii:

Act no. 29/1984 Coll. on the system of elementary and secondary schools as amended (from hereon the “education law”) guarantees citizens who are not of Slovak national origin, in the interest of their ethnic development to an appropriate extent, the right to education in their language at all levels and types of schools. (*Section 3, para. 1 of the education law: “Education is provided in the state language. Citizens of Czech, Hungarian, German, Polish and Ukrainian (Ruthenian) ethnic origin are entitled in the appropriate interest of their ethnic development to the right to education in their own language.”*) The upholding of these rights appears in the goals, content, organisation and management on all levels and types of schools and school facilities in the education system of the Slovak Republic.

Act No. 596/2003 Coll. on state administration in the sector of education and school self-governments and on the amendment to certain acts as amended enables councils, municipal school councils and territorial school councils to enforce the interests of local and regional self-governments, parent and teachers in the field of education, i.e. including teaching in the mother tongue.

Since 1993, the subjects of Roma language and literature and Roma Life are taught under the auspices of the State Pedagogical Institute (ŠPÚ) in three elementary schools (the private elementary school on Galaktická 9, Košice, the elementary school on Parková 1, Veľká Ida and the private elementary school on Angyalova 417/31, Kremnica) under the projects entitled “Experimental verification of the effectiveness of the curriculum in Roma language and literature in elementary and secondary schools” and “Experimental verification of the effectiveness of the curriculum in the subject of Roma Facts of Life.” In the 2006/2007 academic year, there were 219 elementary-school and secondary-school students taking part in this experimental verification.

c), d) iii:

Since 2003, the subjects of Roma language and literature and Roma culture have been taught under the auspices of the State Pedagogical Institute in four secondary schools: the private gymnasium on Galaktická 8, Košice, the Secondary Arts School on Exnárova 8, Košice, the private academy for social and legal studies for the Roma community on Jegorovovo námestie 5, Košice and the Spojená škola (“the joint school”) on Novohradská 3 in Bratislava. This teaching is carried out under the project entitled “Experimental verification of the effectiveness of the curriculum in Roma language and literature in elementary and secondary schools” and “Experimental verification of the effectiveness of the curriculum in the subject of Roma Facts of Life”.

With support from the European Social Fund, the State Pedagogical Institute is implementing a project entitled “Improving the qualification potential of members of the Roma community by opening a new study programme on Romology in the system of education at secondary schools”

e) ii:

In accordance with Act no. 131/2002 Coll. on schools of higher learning and on amending and supplementing certain other acts as amended (hereinafter referred to as “The Law on university education”) the study of and research on minority languages is supported. All public universities and schools of higher learning in the Slovak Republic are autonomous and are governed according to the rules formulated under the university education law of the Slovak Republic. All of them are financed and developed according to these rules and

binding legal provisions and other norms stipulated within the law. The Ministry of Education of the Slovak Republic maintains a principle of equality and justice in its dealings with all public schools of higher learning and finances them on the basis of an approved and transparent method.

As regards the Roma language, there is an Institute of Romological Studies at the University of Constantine the Philosopher in Nitra. In the interest of thoroughness, we would also like to mention that currently, standardisation of the Roma language is being carried out under the guidance of the Slovak Government Plenipotentiary for the Roma Community. Materials have been prepared for accreditation of the study program in Roma language, history, literature and culture, which the Institute of Romological Studies at the University of Constantine the Philosopher in Nitra plans to implement. This new program of study will become part of the program of Non-Slavic languages. At the same time, a second publishing of the Rules of Roma Written Language is being prepared, which is one of the important parts of standardisation of the Roma language.

f) ii:

According to Section 14, para. 2 item c) of Act no. 596/2003 Coll. on state administration of schools and school self-government and on amending and supplementing certain other acts as amended, a Methodological-Pedagogical Centre with headquarters in Bratislava and five offices in Bratislava, Banská Bystrica, Prešov and Trenčín is operating in the Slovak Republic. It is an organisation directly managed by the Ministry of Education of the Slovak Republic, which implements methodology and provides further education to pedagogues and non-pedagogical employees. Under its auspices fall schools and school facilities that are managed by the local self-governments, communities and regions, as well as regional school offices (boards) in the Slovak Republic.

For example, the branch of the Methodological-Pedagogical Centre in Prešov:

- provides continuing education to pedagogues and non-pedagogical employees at schools and school facilities
- provides continuing education for pedagogues and non-pedagogical employees
- conducts research and surveys in the area of continuing education for pedagogues and non-pedagogical employees
- works on a nationwide basis with authorisation from the Ministry of Education of the Slovak Republic on the following:
  - provision of expert guarantor services on the Roma issue
  - provision of expert guarantor services on continuing education for teachers at schools located in areas with minority populations (Hungarian, Ukrainian and Ruthenian).

The Methodological-Pedagogical Centre houses the Roma Education, Information, Documentation, Advisory and Consultation Centre – ROCEPO, which functions on a nationwide basis. Its goal is to address the specific needs and conditions of the Roma ethnic minority through teachers working in schools with high concentrations of Roma children and pupils.

g):

The curricula for the 1<sup>st</sup> – 4<sup>th</sup> years at Roma language elementary schools are developed periodically in two variations. According to the first variation, Roma language is taught as an elective subject, while in the second variation the Roma language is set as a required subject with two hours taught per week. The curricula for the 5<sup>th</sup> – 9<sup>th</sup> years of Roma language

elementary schools are developed separately and in two variations with the identical characteristics of the previous curricula.

Currently, there are two textbooks available for the teaching of Roma history: *Roma History* – published in 2000, and *People from Roma Families* – published in 2003. Neither textbook is used enough in practice. In 2005, a project entitled “Romistika” was implemented with support from the European Social Fund whose goal was to develop textbooks and accompanying materials for teaching Roma language and literature, Roma history and Roma culture at secondary schools. This project was successfully completed in 2007.

h):

See answer f) ii.

i):

The Council for National Minority Education is an advisory body to the Minister of Education of the SR for the efforts in fulfilling the tasks resulting from the Manifesto of the Government of the Slovak Republic for the period 2006 to 2010 in the field of education at schools and school facilities, their management, financing and in the area of state administration in the regional education system.

Since 2005, according to order no. 5/2005-I in its latest interpretation issued by the Ministry of Education, a Council of Experts of the Ministry of Education of the Slovak Republic for Education of Roma was formed.

In the Slovak Republic there is also the Council of the Government of the Slovak Republic for National Minorities and Ethnic Groups. The Council is the advisory and coordination body of the Government of the Slovak Republic in the area of national policy and the implementation of the European Charter for Regional or Minority Languages.

## **Article 9 – Judicial Authorities**

### **Paragraphs and Sub-paragraphs chosen:**

***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:***

***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***

***b) in civil proceedings:***

*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,*

*c) in proceedings before courts concerning administrative matters:*

*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,*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

In respect of the use of regional or minority languages in proceedings before courts, the valid legal order complies with Article 47 of the Constitution of the Slovak Republic, and goes beyond the scope of the selected Charter articles.

The Slovak legislation in force meets the terms of the obligations under the Charter to which the Slovak Republic committed itself, and therefore there is no need to amend the legislation. In practice, the relevant valid and effective legislation does not restrict the right to use regional or minority languages in court proceedings. The Ministry of Justice of the Slovak Republic is not aware of any case in the work of the courts where a party to proceedings would fail to refer to his/her right to use a regional or minority language.

Paragraph 1

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006 is the relevant law to criminal proceedings. The Criminal Procedure Code is in effect and it is applied in the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of Section 2 paragraph 20 of the Criminal Procedure Code: "If the accused, his/her legal guardian, victim, participating person or witness declare that he/she does not know the language of the proceedings he/she has the right to an interpreter and translator."

Under Section 28, paragraph 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter".

Under Section 28, paragraph 3 of the Criminal Procedure Code: “If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate“.

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and decision after completion of pre-trial proceedings; i.e. in pre-trial proceedings, when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is established only before the court that there is a person appearing who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.

iii:

Under Section 28, paragraph 1 of the Criminal Procedure Code: “If the content of the statement needs to be interpreted, or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as the interpreter“. The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which are related to the crime or the accused and which are in a regional or minority language are translated in compliance with Section 28 paragraph 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. the Civil Procedure Code as amended (hereinafter the “Civil Procedure Code”) is the relevant legal provision with respect to these commitments. Under Section 18 of the Civil Procedure Code: “In civil proceedings, the parties shall have an equal status. They have the right to use their mother tongue or the official language of the state, understood by them, before a court. The court shall have the obligation to ensure for them equal possibilities for the exercise of their rights“.

Under Section 141, paragraph 2 of the Civil Procedure Code: “Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

iii:

The effective legal order of the Slovak Republic allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense. Thus, it fully respects the pertinent provision of the Charter.

c) ii:

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code, which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to appear in person before a court, and to use one's mother tongue, apply *mutatis mutandis* to court proceedings in administrative cases.

iii:

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense in the same way as in civil court proceedings. Thus, the pertinent provision of the Charter is fully respected.

d):

The costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrative proceedings are borne by the State.

## **Article 10 – Administrative authorities and public services**

### **Paragraphs and Sub-paragraphs chosen:**

***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:***

***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***

***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:***

***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;***

***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:*

*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;*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) iii, iv:

Act No. 184/1999 Coll. on the use of languages of national minorities also lays down the rules for minority language usage in official communication. The Roma language is used in 57 municipalities. However, no body of state administration is based in these municipalities.

Act No. 254/2007 Coll. on the abolition of regional offices and on the amendment to Act No. 515/2003 Coll. on regional offices and district offices, and on the amendment to certain laws in the wording of Finding of the Constitutional Court of the Slovak Republic No. 263/2006 Coll., in force since 1 October 2007, abolished regional authorities as the second instance local state administration authority under the competence of the Ministry of the Interior of the Slovak Republic. By this law, 50 district offices remained in place as the first instance local state administration authority. In communities where more than 20% of the population claims to belong to the Roma national minority, there are no existing regional offices.

Paragraph 2:

b):

According to the provisions of Section 2, para. 3 of Act no. 184/1999 Coll. on the use of national minority languages, a citizen of the Slovak Republic who is a member of a national ethnic minority has the right to submit written materials to a state body or an office of the territorial self-government (from hereon “public administration body) in his or her own language if he or she is in a community where members of a national ethnic minority make up



at least 20% of the population according to the latest census. The Roma language may be used for official business in 57 communities.

c), d):

In municipalities where persons belonging to a national minority form at least 20% of the population according to the latest census of population, important information, mainly warnings, notices and health-related communications, is displayed in both the state and minority languages in public places. In such municipalities, public authorities also provide information concerning generally binding regulations under their competence in the minority language, on request.

f):

According to Section 3 paragraph 1 of Act No. 184/1999 Coll. on the use of languages of national minorities, sessions of the public authority in a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also be held in the minority language if all persons present agree.

A member of the municipal assembly in such municipalities has the right to use the minority language during the sessions of this body. Interpretation is provided by the municipality. The chronicle of such a municipality may be also written in the minority language.

g):

The issue of displaying traditional local names in the minority language is regulated by Act No. 191/1994 Coll. on names of municipalities in minority languages.. This law states that “municipalities in which persons belonging to a national minority form at least 20% of the population shall have their name in the minority language placed on separate traffic signs marking the beginning and the end of the municipality”.

Under Act No. 184/1999 Coll. on the use of languages of national minorities (Section 4 paragraph 1), a municipality where persons belonging to a national minority form at least 20% of the population according to the latest census of population may also have street name plates and other local geographic names in the minority language.

Paragraph 3:

c):

Rules concerning the use of languages of national minorities are regulated by the Act No. 184/1999 Coll. on the use of languages of national minorities.

Under Act No. 564/2001 Coll. on the Public Defender of Rights (Ombudsman), as amended, persons filing submissions may use their mother tongue in communication with the Ombudsman (see p. 60). The Public Defender of Rights Act makes it possible to use these languages in communication with the Public Defender of Rights even outside districts that reach the 20% threshold of population claiming a national minority origin.

In order to simplify and speed up the reviewing of submissions by the Public Defender of Rights, the Office of the Public Defender of Rights has prepared a submission form meeting all substantive particulars of the submission prescribed by law. This form has been translated into the languages of all national minorities in the Slovak Republic that are covered by the ratified provisions of the Charter, i. e. also into the Ruthenian and Ukrainian languages. The

Office distributes forms for filing submissions as a part of its activities,<sup>6</sup> and these forms are also published on the website of the Public Defender of Rights, [www.vop.gov.sk](http://www.vop.gov.sk), which offers the option of direct electronic submission. In case of submissions in a language other than Slovak, the Office of the Public Defender of Rights also arranges the translation of the answer into the language of the submission, or into other language if so requested in the submission.

Since 2002, when the first Defender of Rights of the Slovak Republic was elected, one submission has been made to him in Roma language.

Paragraph 4:

a):

Under Act No. 154/1994 Coll. on register offices (Section 13 paragraph 4), “when notifying a birth orally, the notifying persons is required to produce his/her identity papers. If the notifying person has a speech and/or hearing impairment or the notification is made in a language the registrar has no command of, an interpreter is needed; when this interpreter is not an officially appointed interpreter, the interpreter must give an oath prescribed in a separate regulation to the registrar before whom he/she appears as interpreter. Information about interpretation and the interpreter are entered in the book of births“.

In practice, translations and interpretation in institutions providing public services are usually performed by those officers who have command of the minority language, and their clients may use this language.

c):

Public authorities in a municipality or institutions of social services are able to provide an interpreter in case of need and requirement. Applications of the employees of public services, who speak minority language for designation or transfer to the territory, where this language is used, are usually approved.

Paragraph 5:

Regarding this obligation the following legal acts are of relevance: Act No. 300/1993 Coll. on names and surnames, as amended and Act No. 154/1994 Coll. on Register Offices as amended are the relevant pieces of legislation with respect of this commitment (see p. 61).

## Article 11 – Media

### **Paragraphs and Sub-paragraphs chosen:**

***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:***

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<sup>6</sup> e.g. distribution of forms to regional points of the Public defender of Rights within Slovak Republic, which register inhabitants declaring national minority origin and which are established by the Public Defender of Rights out of his own initiative

- a) *to the extent that radio and television carry out a public service mission:*
  - iii *to make adequate provision so that broadcasters offer programmes in the regional or minority languages;*
- b) *ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*
- c) *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*
- f) *ii to apply existing measures for financial assistance also to audiovisual productions in the 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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) iii:

Act No. 16/2004 Coll. on Slovak Television, as amended, and Act No. 619/2003Z Coll. on Slovak Radio, as amended, are the relevant pieces of legislation with respect to minority language broadcasting in public media in the Slovak Republic. Provisions of these laws guarantee broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak

Republic; public media may establish separate organisational units to ensure the production and broadcasting of programmes for national minorities and ethnic groups. Very good conditions for the application of the selected provisions of the European Charter for Regional or Minority Languages, comparable with the standards in other EU Member States, have been created in the area of broadcasting provided by public television and radio.

**Slovak Radio** is a public, national, independent, information, cultural and educational institution providing services to the public in the field of radio broadcasting. The main activities of Slovak Radio cover broadcasting of public interest programmes, including minority language programmes, with well-balanced content and regional distribution as an integral dimension, and with a majority proportion in the broadcasting structure. In this way, Slovak Radio fulfils its mission of promoting the cultural identity of all inhabitants of the Slovak Republic.

Slovak Radio broadcasts programmes for national minorities and ethnic groups living in the territory of the Slovak Republic on its **Radio Patria** channel. Since it was put on the air in 2000, Radio Patria – Unit for national minority and ethnic group broadcasting also covers broadcasting in the Roma language.

The new broadcasting structure of Slovak Radio, in effect since 1 February 2007, introduced extensive changes in Radio Patria, which has become the radio for all national minority programmes in terms of its organisation and programmes, because the programmes in individual minority languages are now broadcast from one station. Before this change, the programmes of the unit for national minority and ethnic group broadcasting. In Košice were transmitted by the signal of Regina Radio, to which they were connected through different technical solutions.

The Ministry of Culture of the Slovak Republic initiated a proposal to allocate specifically dedicated funds to Slovak Radio for 2007 from the budget of the Ministry of Culture of the Slovak Republic, which was submitted to a session of the Government of the Slovak Republic. In October 2007, the Government of the Slovak Republic decided to allocate funds to the Ministry of Culture, specifically dedicated for Slovak Radio broadcasting of programmes in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic, to a total amount of SKK 45,400,000, in order to ensure compliance with the above tasks and the mission of Slovak Radio.

In 2006, 66 hours of programming in the Roma language were broadcasted on Radio Patria, which represents 1.7% of the total volume of broadcasting in all minority languages on Slovak Radio.

Radio Patria can be received on medium waves on the following broadcast stations: Nitra 1098 kHz, Rimavská Sobota 1017 kHz, Prešov 702 kHz.

Significant changes have been made in the current programming structure of the national-ethnic broadcasts which have resulted in a doubling of the total minutes of broadcasting. This required expert and financial contributions for the production of these broadcasts by external partners. In the Roma language broadcast, priorities include broadcast of: information on politics, economics, culture, sport and information on individual regions of Slovakia where members of the Roma minority live.

## **Programming structure of national-ethnic broadcasts – Broadcasts in Roma language:**

### **Monday:**

8:00 - 8:30 The Roma Word (Rómske slovo)

8:30 - 9:00 Roma Music

### **Thursday**

8:00 - 8:30 The Roma Word (Rómske slovo)

8:30 - 9:00 Roma Cultural Review

**Slovak Television (STV)** broadcasts a regular weekly (Mondays at 16:30) news and opinion show in Roma language called Roma Magazine, which lasts 26 minutes. In 2006, Roma language broadcasting on STV comprised a total of 32.84, which is 15.09% of the total volume of broadcasting in all minority languages.

b) ii:

The Constitution of the Slovak Republic provides in Article 34 paragraph 1 that “citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, [and] to establish and maintain educational and cultural institutions.”

Act No. 308/2000 Coll. on broadcasting and retransmission, and on amending Act No. 195/2000 Coll. on telecommunications, as amended, guarantees the right to free and independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within its scope of legislation. This law makes it possible for the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within its scope of legislation.

The Council for broadcasting and retransmission does not have any information on the numbers of licence holders that broadcast in the Roma language.

In the territory of the Slovak Republic, radio signals can be received from several radio stations (public and private) from neighbouring countries.

c) ii:

In the Slovak Republic, 116 licence holders currently provide television broadcasting. These are local television stations that broadcast in mixed-nationality villages and towns in the southern Slovakia. The Council for broadcasting and retransmission does not information on numbers of the licence holders that broadcast in Roma language.

According to statistical surveys, on the basis of the programme services on offer, some 33% of households make use of services for retransmission of programmes from the so-called kin countries. In the territory of the Slovak Republic, television signals can be received from several television stations (public and private) from neighbouring countries. According to the Act on broadcasting and retransmission the transmission of broadcasting is possible in the south or eastern Slovakia. This kind of broadcasting is not registered in case of satellite broadcasting.

d):

In addition to the above legal provisions concerning media, the relevant legislation in respect of the implementation of this commitment also includes Act No. 220/2007 Coll. on digital broadcasting of programme services and on provision of other content services through digital transmission, and on amendments to several acts (the Digital Broadcasting Act), effective from 31 May 2007. This law liberalises the authorisation scheme for television and radio broadcasting, and creates room for the creation of new platforms for the provision of on-line services (e.g. e-government, e-learning, e-culture and the like). The register of digital terrestrial services is based on an approach to content different from the programme service; the register of content services providers is a hot-line alternative in the meaning of the Council of Europe Recommendation Rec(2001)8.

Act No. 343/2007 Coll. on conditions of registration, public broadcasting and preservation of audiovisual works, multimedia works and sound recordings of artistic performances, and on the change of and amendment to some laws, (hereinafter referred to as “the Audiovisual Act”), came into effect on 1 January 2008. Under Section 17 paragraph 4, this law provides for the possibility of presenting audio-visual works also in the original language, except for performances for minors under 12 years of age in time slots appropriate for such minors. This approach has opened more room for audiovisual works presentation in the languages of national minorities.

e) i:

Act No. 81/1966 Coll. on periodical press and other mass media, as amended, is a general legal provision not limited to publishing of periodical press in national minority languages. On the other hand, it does not contain any specific provisions concerning periodical or non-periodical press of national minorities and ethnic groups.

In the Slovak Republic, the publication of periodical and non-periodical press in the languages of national minorities and ethnic groups is supported through state subsidies provided by means of the grant system of the Ministry of Culture of the Slovak Republic.

In the field of **periodical literature**, the grant system of the Ministry of Culture of the Slovak Republic is the vehicle to support culture pages and supplements to newspapers and journals as well as periodicals in electronic form covering the cultural life of national minorities, journals on literature, art science and art criticism; student, university journals and magazines for children.

Number of titles and financial volume of support to periodicals in the **Roma language**:

Year	Number of titles	Financial volume fo support (SKK)
2005	3	2 350 000
2006	3	2 218 000
2007	2	2 000 000

The Ministry of Culture of the Slovak Republic supported the following periodicals in the Roma language - Lulud'i (in 2006 – 68 000,-SKK, in 2007 - 200 000,-SKK) and Romano Nevo Lil (in 2005 - 1 900 000,-SKK, in 2006 - 2 000 000,-SKK and 2007- 1 800 000,-SKK).

f) ii:

The Ministry of Culture of the Slovak Republic has drafted an effective, impartial and transparent procedure for granting funds from the dedicated transfer from the Ministry of Culture to the culture of individual national minorities. Individual national minorities are allocated dedicated funds for cultural activities and for periodical and non-periodical press through the Ministry of Culture's grant scheme. This meets the requirements for the fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since national minorities and ethnic groups are given room to develop and use their own language as the bearer of their cultural heritage and preservation of their linguistic identity. In 2007, grants worth a total of SKK 11,482,000 were given by the Ministry of Culture of the Slovak Republic for Roma minority culture projects.

Another significant step forward occurred in the 2008 grant scheme on the Culture of National Minorities. In 2008, the Ministry of Culture of the Slovak Republic has more funds available for the grant scheme on the Culture of National Minorities, the electronic registration processes has become more transparent and simpler, the internal application handling procedure from the time of application filing to grant of funds to individual applicants has been shortened, and a more detailed structure of the programmes ensuring more conceptual preparation, processing and work of technical commissions has been drafted, hence, a higher satisfaction of applicants for grants should be achieved, the application electronic registration system has been improved – all forms are now available in electronic form, the number of eligible items in the budgets has been increased, and all technical grant commissions were given a special code, which gives the members of individual commissions a period of two months to study the projects, which made their decision-making more professional, conceptual and fairer.

Paragraph 2:

In the territory of the Slovak Republic, television and radio signals from several television and radio stations (public and private) from neighbouring countries can be received. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.

Paragraph 3:

The Slovak Television Council and the Slovak Radio Council are the competent bodies to approve broadcasting concepts and plans also in respect of ensuring broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups.

To complete the picture, we note that all topical questions concerning minority languages including media are discussed at the level of the Council of the Government for National Minorities and Ethnic Groups where all national minorities living in the Slovak Republic are represented.

## Article 12 – Cultural activities and facilities

### Paragraphs and Sub-paragraphs Chosen:

*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;*

*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.*



### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a):

The Slovak Republic promotes publishing of periodicals and non-periodical literature in the Romany language through the Ministry of Culture of the Slovak Republic.

In the field of **periodical literature**, the grant system of the Ministry of Culture is the vehicle to support culture pages and supplements to newspapers and journals as well as periodicals covering the cultural life of the national minorities, journals on literature, art science and art criticism; student, university journals and magazines for children. The allocation of support to live culture, periodical and non-periodical print media is decided by the particular grant commission. Detailed information on the number of titles and volume of funds given to periodicals in the Romany language is presented in Article 11 – Media.

The task of the grant scheme in the area of **non-periodical literature** of national minorities is to support publishing activities and publications enhancing the identity of national minorities through original creation, fiction, technical, scientific literature and translations. The subsidy is also meant for bringing out audio recordings of national minority authors, where it should mainly be used to partially cover the costs linked with the production of CDs.

### **Number of titles and financial volume of support to non-periodical literature in the Romany language:**

Year	Number of titles	Financial volume of support (SKK)
2005	7	1 516 000
2006	4	550 000
2007	7	1 760 000

### **Non-periodical print in the Romany language in the year 2007:**

Organisation	Title	Grant	Increased sum	
Rómska tlačová agentúra (Roma press agency)	Rómska tlačová agentúra (Roma press agency)	900 000,-SKK		
TRIGON PRODUCTION s.r.o.	Muž, ktorý sadil stromy – monografia (Man who planted the trees)	250 000,-SKK		
ATTACK spol. S r.o	CINKA PANNA – hudobné CD	150 000,-SKK	100 000,-SKK	
Občianske združenie Lulud'i (Civil association –	Ladislav Tavalí: Nemenná krv (Changeless blood)	120 000,-SKK		

Lulud'i)				
Spolok rómskych spisovateľov a umelcov na Slovensku (Association of Roma writers and artists in Slovakia)	Galéria rozprávok – Mese galleria (Gallery of fairytales)	100 000,-SKK		
Občianske združenie Lulud'i	Dezider Banga: Čierny vlas (Black hair)	80 000,-SKK		
Ladislav Cuper	Dušan Onady: Venované Tebe, len Tebe ... (Dedicated to you, only to you ...)	60 000,-SKK		
		<b>1 660 000,-SKK</b>	<b>100 000,-SKK</b>	<b>1 760 000,-SKK</b>

Presentation and characteristic elements of the Roma language are supported by the Ministry of Culture of the Slovakia Republic through the Romathan Theatre in Košice, an ethnic Roma theatre that operates in the territory of the Košice self-government. In 2007 the theatre received support from the Ministry in the amount of SKK 500,000. The Romathan Theatre was founded in 1991 as an ethnic musical theatre with four performing groups. The first premiere, entitle “A Place for Roma” was performed in Košice in December 1992. Since its founding, despite many organisational, personnel and, above all, financial problems, the Romathan Theatre has become a professional and well-known theatre collective that very successfully represents the culture of Roma living in Slovakia and abroad. It does not only perform in one region, but all around Slovakia. The theatre falls under the Košice territorial self-government region, which also finances its operations. The Ministry of Culture, in an effort to support and develop its operations, supports its performances in other theatres on an annual basis.

#### **Support of the Ministry of Culture of the Slovak Republic to the Romathan Theatre:**

<b>Year</b>	<b>Financial volume of support (SKK)</b>
2005	370 000
2006	0
2007	650 000

Under the auspices of the Ministry of Culture, one also finds the Museum of the Culture of Roma in Slovakia, which is in Martin. It is part of the Slovak National Museum and its operations were financed by the Ministry of Culture in 2007 in the amount of SKK 924,000. The museum is a specialised unit of the Slovak National Museum in Martin. This working centre with a nationwide reach began was formed as part of the Slovak National Museum – Ethnographic Museum in Martin as a documentation centre of Roma culture in Slovakia in 2002. After its transformation in 2004, it became a documentation and museum research centre, which emphasizes acquisitions, methodological-expert and cultural-educational

activities as part of its profile. It presents Roma culture and provides information on its specific characteristics.

In December 2006, the Government of the Slovak Republic approved the Strategy for Development of Museums and Galleries in the Slovak Republic until 2011. This document was produced by the Ministry of Culture of the Slovak Republic. Among the strategy's priority projects in the field of minority culture is the task of creating a permanent exhibition of Roma culture and building several research, documentation and interpretation centres of Roma Culture belonging to the Slovak National Museum.

b):

The production of cultural expressions in regional or minority languages is approached in several ways. These mainly include translations of works in regional or minority languages into the Slovak language using grants from the Art subprogramme of the grant scheme of the Ministry of Culture of the Slovak Republic, this subprogramme targets the publishing of translations of belles-lettres and translations of scientific literature on arts and social sciences. The support to presentations of culture produced in regional or minority languages also takes the form of theatre plays, performances in theatres, and exhibitions presenting national minorities in museums and galleries.

c):

Access to works in other than regional or minority languages is provided by aiding and developing translation activities. Through its grant scheme, the Ministry of Culture of the Slovak Republic spends significant amounts of funds on support to publishing and publication activities of the Ruthenian national minority for publishing translations of literature in the Ruthenian language. See answer 1. a).

In December 2006, the Government of the Slovak Republic approved the Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the strategy in the field of minority cultures is to have by 2010 written information (descriptions) on the exhibited collection items, other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and in the case of specialised expositions, in the minority languages, in addition to the state language and English.

d):

In December 2006, the Government of the Slovak Republic approved the Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The policy includes the task to fully prepare and start installations of standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities and ethnic groups by 2011.

The Slovak Republic continuously pursues inclusion of cultural activities of individual national minorities into the cultural life of the majority society through the Ministry of Culture of the Slovak Republic. The Ministry of Culture of the Slovak Republic annually supports several cultural events featuring cultural ensembles of national minorities, with the aim of promoting projects presenting minority culture to the majority population through its grant scheme, to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination. In 2007, the Ministry of Culture of the Slovak Republic engaged in the

European Year of Equal Opportunities to All using the mechanisms of the grant scheme and/or Culture of National Minorities and Culture of Disadvantaged Groups of the Population grant programmes mainly through cultural activities facilitating creation of equal opportunities in culture and improvement of conditions for culture availability and the production of minority cultures. In addition to presentations of Hungarian, Croatian and German ethnic cultures, the majority population as well as visitors from abroad were able to see a Roma folklore group that strives to revitalize and interpret authentic Roma folklore. The performance was an autonomous part of the important summer culture activity known as Bratislava Cultural Summer and Castle Celebrations.

The aim of the support of the Ministry of Culture of the Slovak Republic is to support and develop culture of the Roma national minority in Slovakia and eliminate prejudice against national minorities and creates room for cooperation with the majority society and other national minorities living in the Slovak Republic. In 2007, support from the Ministry of Culture of the Slovak Republic to live culture of the Roma national minority amounted to SKK 7 722 000,-SKK, and this for 68 supported projects.

**Support of the culture of the Roma national minority in the year 2007:**

<b>Roma minority</b>	<b>Number of projects</b>	<b>SKK</b>
Live culture	68	7 722 000
Periodical print	2	2 000 000
Non-periodical print	7	1 760 000
Together	<b>77</b>	<b>11 482 000</b>

e):

All organisations fostering, developing and presenting national minority cultures in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic and theatres run by the individual self-governing regions are headed by persons belonging to the relevant national minority.

f):

The Ministry of Culture of the Slovak Republic provides administrative support to the activities of the 12 grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Members include representatives of all regions and experts on all areas of culture. These commissions, being advisory bodies to the Minister of Culture, give a technical evaluation of all applications for subsidies for the respective national minority, and propose the amount of the grant. They elect the chair of the commission from among themselves. At the same time, grant commissions define the annual priorities for support to the culture of the individual national minority. The officer of the Section for Regional and Regional Cultures (which is responsible for the grant scheme of the Ministry of Culture of the Slovak Republic – Culture of National Minorities) is only the secretary of the commission, without voting right, and arranges the organisational and administrative preparation of projects for the session of the commission.

The Roma national minority has a separate, independent grant committee, which decides on sums provided for specific projects on the basis of priorities set by the committee for that year.

**Support from the Ministry of Culture of the Slovak Republic for cultural activities of the Roma national minority:**

Year 2005	7 905 000,-Sk
Year 2006	13 005 000,-Sk
Year 2007	11 482 000,-Sk

In 2008, the Ministry of Culture plans to allocate SKK 14,000,000 for cultural activities by the Roma national minority.

g):

The Ministry of Culture of the Slovak Republic supports NGOs which have the task of collecting, archiving and publishing works in regional or minority languages, through its grants programmes every year. The most important of them is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) at Šamorín that collects, archives and publishes works on the issues of national minorities living in Slovakia (see p. 132)

Paragraph 2:

Based on Act No. 184/1999 Coll. on the use of languages of national minorities, Section 2: when nationals of the Slovak Republic are persons who belong to a national minority form at least 20% of the population of a municipality according to the latest census of population, they may use the minority language in their official communication in this municipality. Persons belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government bodies also in their minority language in a municipality referred to in paragraph 1. The public authority in any municipality meeting the conditions of paragraph 1 shall also reply in the minority language in addition to the state language, except for public deeds. At request, decisions and official forms are also issued in the minority language.

Under Section 4 of the quoted Act: In their territory, municipalities may display the names of streets and other local geographical indications also in a minority language; important information, mainly warnings, notices and health-related communications are displayed in public places in both in the State and minority languages.

The Ministry of Culture of the Slovak Republic fosters the culture of national minorities through its grant scheme regardless of the percentage of the pertinent national minority in the region. When complying with all particulars, civil national minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities. The decisive criterion in approving an application is the actual need of the grant – the reasons for and justification of promoting cultural activities in these regions.

Paragraph 3:

Although the Romathan Theatre is not under the auspices of the Ministry of Culture, (it falls under the higher territorial unit of Košice), in an effort to support and develop the theatre's activities, the Ministry of Culture each year supports its performances away from home on other stages. In addition, the Ministry of Culture provides appropriate space for Roma groups to present their culture at home and abroad, above all at folklore festivals in Slovakia and festivals and reviews in the Czech Republic.

Paragraph 3:

The culture of all 12 national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures at home and abroad, be it in promotion materials for tourists, or by sending them out for presentations abroad. Significant form of presenting Roma national minority cultures is through its inclusion in programs of Slovak folklore groups.

### **Article 13 – Economic and social life**

#### **Paragraphs and Sub-paragraphs Chosen:**

*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;*

*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:*

*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;*

#### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a)

Under Section 1 paragraph 4 of the Labour Code, the Civil Code shall apply to these legal relations unless the first part of the Labour Code provides otherwise. This means that the subsidiary force of the Civil Code applies to some provisions of the first part of the Labour Code (e.g. legal actions) unless the Labour Code provides otherwise.“

According to Section 8 Paragraph 2 of Act No. 270/1995 on the state language of the Slovak Republic, as amended, written legal actions in labour relations or a similar labour relation are made in the state language. For instance, a contract of employment concluded between the parties to a labour relation is such a legal action. The Labour Code does not explicitly include provisions that would forbid or exclude the possibility of having such a contract also made for

example in a minority language, when the parties to the labour relations so agree. The same applies to other legal actions, such as an agreement on the modification of a contract of employment, an agreement on the termination of employment, a dismissal, an agreement on the indemnification of the employer and the like.

Act No. 312/2001 Coll. on the civil service, and on the amendment of certain other acts, (hereinafter referred to as “the Civil Service Act”), does not have any special provisions that would unreasonably forbid or restrict the use of regional or minority languages. Section 3 paragraph 2 of the Civil Service Act also prohibits discrimination on grounds of language when entering the civil service and performing civil service duties, in compliance with the principle of equal treatment. One of the requirements for admission to the civil service, under Section 14 paragraph 1 subparagraph g) of the Civil Service Act, is command of the state language. Civil servants have an obligation to have command of the state language solely because they perform civil service duties; however, this does not prevent natural persons to apply to public authorities in the minority or regional language. Civil servants have the obligation to observe all valid legal regulations related to the performance of state administration in the given field of responsibility. In official communication, they have the obligation to comply with Act No. 270/1995 Coll. on the state language of the Slovak Republic, as amended, and Act 184/1999 Coll. on the use of languages of national minorities.

Act No. 250/2007 Coll. on consumer protection, and on the amendment to Act of the Slovak National Council No. 372/1990 Coll. on administrative infractions, in the wording of later provisions, provides that “when information listed in Section 11 and 12 is given in writing, it must be done in the state language. This is without prejudice to the possibility of parallel use of other signs, mainly graphic symbols and pictograms, as well as other languages. Physical and technical quantities must be expressed in legal units of measurement“.

In respect of the State Language Act, it is necessary to emphasise that this law does not regulate the use of minority languages, and its application in practise does not result in restricting the rights of persons belonging to national minorities to use their mother tongue in communication in public, as ensured by valid legislation in the Slovak Republic.

b)

The Labour Code explicitly provides in Article I Fundamental Principles that natural persons have the right to a free choice of employment, to fair and satisfying working conditions and to protection against unemployment. These rights belong to them without any sort of restriction, and without direct or indirect discrimination on grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied in all provisions of the Labour Code. It must be applied in the same way to work rules and other internal standards, which must comply with legal provisions.

Act No. 5/2004 Coll. on employments services, and on the amendment of certain other acts, as amended, (hereinafter referred to as “ the Employment Services Act”), does not have any special provisions that would forbid or restrict the use of regional or minority languages. Nor does the amendment to the Employment Services Act which came into effect on 1 May 2008 does not include such a ban or a restriction.

The currently valid Employment Services Act defines the right to access to employment in its Section 14 as the right of a citizen who wants to work, can work, and seeks a job, to services of assistance while seeking appropriate employment, or education and training necessary to

have success on the labour market. Section 14, referred to herein, further provides that citizens have the right to access to employment without any restrictions, in conformity with the principle of equal treatment in labour relations and similar legal relations provided for in Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination, and on amending and supplementing certain other laws, (the Antidiscrimination Act). In conformity with the principle of equal treatment, any discrimination on grounds of marital and family status, colour, language, political and other opinion, trade union involvement, ethnic or social origin, disability, age, property, lineage or other status is prohibited.

Legislation ensuring health and safety at work does not have special provisions that would forbid or restrict the use of regional or minority languages. Legal provisions ensuring health and safety at work oblige the employer to perform certain measures comprehensibly with respect to employees. This employer's obligation applies mainly to briefings of employees, informing the employees, manuals and other internal instructions. In the context of legal provisions, the term "comprehensibly" includes not only the content but also the manner in which information is transferred, so that the particular employee, including those employees who use one of the minority languages, do understand.

This area is regulated mainly by legal acts mentioned on the p. 82.

c)

Act No. 365/2004 Coll. on equal treatment in certain areas and on protection against discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic (see p. 82).

Paragraph 2:

c):

In 2005, the operation of establishments which enforce court decisions (children's homes, children's homes for unaccompanied minors, crisis centres, resocialisation centres), was newly legislated in Act No. 305/2005 Coll. on social and legal protection of children and social guardianship and on the amendment to certain laws. Act No. 195/1998 Coll. on social assistance, as amended, regulates the operation of social care facilities.

Establishments where court decisions are enforced and social care facilities are prepared to receive and treat persons in the language they use. Persons using a regional or minority language are preferentially employed by the social care facilities in those regions where a regional or minority language is used, and the personnel of these facilities communicates both in the state language and in the regional or minority language. Employees of these facilities have command of the language of their clients. In order to foster the use of regional or minority languages, bi-lingual journals are published. Clients have also the possibility of watching TV programmes in the language they use.

The operation of these facilities is organised in such a way that in areas with a higher number of clients and employees speaking other language than Slovak, persons of Slovak nationality are not discriminated against. Cultural and social events are also organised in the pertinent minority language. In respect of hospitals, the Ministry of Health of the Slovak Republic has not received any complaint concerning failure to provide medical care due to lack of



knowledge of a minority language by the personnel of the hospital. No problems of this kind occurred in practice.

In the framework of the first monitoring cycle concerning the level of implementation of the Charter in the Slovak Republic the Committee of experts in its evaluation report asked to provide the information concerning the the case of alleged coercive sterilisation of Roma women. There neither is nor has ever been any state policy in the Slovak Republic or practice supported by the Government regarding coercive sterilisation of the Roma women. The Governmnet of the Slovak Republic did not take the political responsibility for the performance of the alleged coercive unlawful sterilisation.

The Governmnet of the Slovak Republic adopted measures and tasked respective ministries and the Plenipotentiary of the Government of the Slovak Republic to revise the health legislation (provision on non-discriminatory access to the health care, new legislation on the access to medical files, requirements for obtaining a patient's informed consent – these tasks have been fullfired by the amending of the Act No. 576/2004 Coll. on Healthcare, Services Related to the Provision of Healthcare and on the changes and supplementing of certain laws, Act No. 578/2004 Coll. on the Providers of the Healthcare, Medical workers, professional organisations in health service and on the changes and supplementing of certain laws). The Minister of Health of the Slovak Republic was tasked with invoking the liability of the physicians and hospitals and analyses of all healthcare facilities with a view to verify allegations of coerced sterilisations, to identify discriminatory practices against Roma. All these tasks were fulfilled and realised. Other tasks included a review of access of marginalized groups to healthcare, and the strengthening of human rights education of health care personnel and public administration staff. The question of separating sterilisation from a ceasarian section has been resolved by introducing a 30 day period – sterilization cannot be carried out sooner than 30 days after the provision of informed consent. Illegal sterilisation is defined as a crime. Since the investigation has not been finished ad it is still going on, the conclusions of the authorities acting in criminal proceedings will be binding for all parties concerned, it is not allowed to intervene and enter into other proceedings and it is necessary to co-operate with the authorities acting in criminal promceedings according to valid legal acts.

**Annex: Decisions of the courts of the Slovak Republic on the applications on the assignment of an interpreter in civil and criminal proceedings**

	Number of decisions on assignment of an interpreter according to the Civil Procedure Code	Number of decisions on assignment of an interpreter according to the Criminal Procedure Code	Reason of the assignment of an interpreter	Comments:
<b>County Court in Bratislava</b>				
District Court Bratislava I (on the basis of application of the District Court Galanta)	2005 – H: 1	0	Plaintiff did not understand the legal character of the case.	Plaintiff: Person belonging to Hungarian national minority who spoke the Slovak language
District Court Bratislava II	0	0		
District Court Bratislava III	2003 – 13 2004 – 26 2005-44 2006 – 68 2007 – 95		Interpreting was provided directly at the hearing, translation of trial documents.	Numbers of interpreters and translators who were paid for their work during particular years are indicated.  The numbers do not differentiate the languages, civil or criminal cases.
District Court Bratislava IV	2003 – G: 5 P: 2 B: 2 2004 – G: 3 P: 2 2005 – G: 6 2006 – G: 6 2007 – G: 14	2003 – 0 2004 – G: 4 R+U: 14 2005 – H: 1 R+U: 1 G: 2 2006 – R+U: 66 Rum.: 7 2007 – R+U: 53 Rum.: 1 G: 1 P: 4 H: 3		Numbers of interpreters and translators paid for their work during particular years are indicated.
District Court Bratislava V	0	0		
District Court Pezinok	0	0		Established: 1. 1. 2008
District Court Malacky	0	0		Established: 1. 1. 2008
District Court Skalica	0	0		Established: 1. 1. 2008
<b>County Court Trnava</b>				
District Court Galanta	H: 22 G: 15		In most of the cases the reason to assign an interpreter was due	If a party does not know the Slovak language well enough and his/her mother tongue is the Hungarian language, the judge ask the

employee of the court to interpret during the hearing. This fact is not taken into the consideration in the presented numbers. Information is provided for the whole period.	to the fact that a party speak the Slovak language, but his/her mother tongue was the Hungarian language and it was better for him/her to express himself/herself in this language.		
<p>Numbers of interpreters and translators paid for their work during particular years are indicated. Reason of the assignment of an interpreter: interpreting into the language of a party of the proceeding, translating of documents. Presented numbers do not differentiate civil and criminal cases.</p> <p>Since more than 20% of the inhabitants of the district of this court belong to the Hungarian national minority, there is a need to assign an interpreter to a party of the proceeding more often.</p> <p><b>Proceeding of the court:</b></p> <ul style="list-style-type: none"> <li>- <b>Criminal proceeding:</b> If a party of the proceeding is a person belonging to the Hungarian national minority, the judge ask an assistant to interpret during the hearing. If there is a need to translate the written document, the judge assign an interpreter, translator.</li> <li>- <b>Civil proceeding:</b> The judge after the first hearing finds out that the party of the proceeding does not know well the Slovak language and therefore the judge assign an interpreter by ruling, adjourn the hearing and summon the interpreter to appear at the next hearing and after performing the interpretation charges an interpreter's fee.</li> </ul> <p>There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter.</p>			
An interpreter was assigned to an accused of Hungarian nationality before the hearing (after filing of an appeal to the judgement)	Accused person did not understand the Slovak language well enough.	2005 – H: 1	0
	Translation of written documents and interpreting at the trial.	2007 – Č: 1	0
		0	0
<b>County Court in Žilina</b>			
District Court Liptovský Mikuláš			
District Court Žilina			
District Court Martin			

<b>County Court in Prešov</b>		2007 – P: 1		Detained person did not know the Slovak language.	Detained person: Polish citizen living in Poland Defendant: Polish citizen living in Poland
District Court Poprad	2004 – P: 1				
<b>County Court in Trenčín</b>		2003 – G: 1		Victim did not know the Slovak language.	Victim, Republic of Austria
<b>County Court in Nitra</b>	2003 – H: 20 Ch: 5 G: 1 2004 – H: 25 Ch: 1 G: 1 B: 1 2005 – H: 28 Ch: 1 G: 8 2006 – H: 41 Ch: 2 G: 3 2007 – H: 46 G: 3 P: 1 Č: 1				Numbers include both civil and criminal cases.
District Court Komárno	2003 – 278 2004 – 283 2005- 294 2006 – 264 2007 – 294 (out of G: 3, U: 1)	2003 – 112 2004 – 229 2005- 388 2006 – 262 2007 – 473 (out of G: 5)		In the criminal proceedings the accused persons stated that they did not know the Slovak language well enough.  Two cases G:2 concerned two German citizens who did not know the Slovak language.	The annex consists of decisions issued in 2007 due to many decisions.  In civil matters interpreting was provided in the most cases by the judge conducting the hearing or an assistant, who had command of the Hungarian language according to the Business and Office Rules. When the translation of the written document was needed, the court assigned an interpreter, translator.  All cases are concerned with the Hungarian language, except „G“ and „U“ cases.
District Court Levice	P: 3 G: 41 H: 114 B: 13 U: 1 Ch: 2				Numbers include both civil and criminal proceedings for the whole period.
<b>County Court in Banská Bystrica</b>	Commercial cases: G: 5 Rum.: 1 H: 1;	2		In „H:1“ case an interpreter was assigned, because a party sent an application in the Hungarian language.	Translations of the documents necessary for the proceedings or translations of judgements are concerned, if party of the proceeding was a foreign national.  Information is provided for the whole period.

	Others: G: 1 H: 1				No information concerning the criminal matters were provided.
District Court Banská Bystrica		2007 – M: 1		An accused did not know the Slovak language well enough.	
District Court Veľký Krtíš	H: 10	U: 1		In cases H.10 parties had no command of the Slovak language. In case „U.1“ an accused was the Ukrainian citizen who had no command of the Slovak language.	Information is provided for the whole period.
District Court Rimavská Sobota	2006 – H: 1			Plaintiff had no command of the Slovak language.	In court proceedings, especially in criminal proceedings, interpreters into Hungarian language are assigned case by case, in the form of ruling directly into the minutes during the court proceedings according to the Business and Office Rules. An interpreter is an assistant or judge.
District Court Žiar nad Hronom	G: 4	H: 1 Ch: 1			Information is provided for the whole period.
District Court Lučenec	P: 1 B: 1 Ch: 4 H: 23 G: 21	H: 35 Rum.: 1			
<b>County Court in Košice</b>					
District court Košice I	U: 5 G: 14 H: 17				In most of the cases the translations of written documents are concerned. Information is provided for the whole period.

legenda:  
H = Hungarian language  
G = German language  
R = Ruthenian language  
U = Ukrainian language  
Rum. = Romanian language  
Ch = Croatian language  
B = Bulgarian language  
P = Polish language  
Č = Czech language