

# A U S T R I A

## SECTION A

### Capital

Vienna 1,539,848 (1991 est.)

### Area

83,858 sq km (32,378 sq mi)

### Form of government

Federal Republic

### GDP—per capita

Purchasing power parity—\$23,400 (1999 est.)

### Population

8,139,299 (July 1999 est.)

### Ethnic composition

German	99.4%
Croatian	0.3%
Slovene	0.2%
Other	0.1%

(Hungarians, Czech and Slovak, Roma and Sinti (defined as Gypsies), Jews and foreign workers)

Within Austria a distinction is made between “official ethnic groups” – Slovenes, Croats, Hungarians, Czechs, Slovaks, and Roma/Sinti – who are legally defined and recognized as minorities, and other social groups such as Jews and foreign workers. These other groups do not have a special legal status as “Austrian ethnic groups” but are de facto minorities.

The Croat enclaves in Burgenland, Austria’s largest ethnic group were the result of the Habsburgs’ wars with the Ottoman Empire in the 16<sup>th</sup> and 17<sup>th</sup> centuries.

The Slovenes of southern Carinthia, Austria's second largest ethnic group, are the descendants of the ancient Slavic population that initially inhabited the southern slopes of the Alps and the Drau River Basin.

The Czechs and Slovaks who maintained their native languages descended mainly from migrants who left predominantly rural areas of southern Bohemia, Moravia, and Slovakia in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. They migrated to industrial centers such as Vienna, Graz, Linz, and Steyr, and in areas in northern Styria, in these urban and industrial settings, immigrants were soon assimilated. There were so many Czech migrants in Vienna that the imperial capital was said to be the "second largest Czech City" after Prague.

Jews have also lived in Austria for centuries, at times enduring hostility and repression. As of 1990, only a little more than 7,000 Jews were registered with the Jewish Orthodox Religious Community in Vienna.

Foreign workers represent the largest de facto minority in Austria, although they frequently are not perceived as such because they are "foreigners" and "guest workers". Their cultural and linguistic characteristics set them apart from the indigenous population, however, and make them a distinct minority. Citizens from the former Yugoslavia, predominantly Serbs, accounted for approximately 50% of the foreign workers in Austria. Turks were the second largest group, making up approximately 20% of the foreign work force, followed by Germans at 5%. Poles, Czechs, Slovaks, Hungarians, and Romanians made up between 3.5 and 4.0% each.

### **Official language**

GERMAN is the official language, according to the Constitution, Chapter I General Provisions:

SLOVENE is recognized as an additional official language in the Federal Province of Carinthia before certain federal, provincial and local authorities and in certain subject matters (Federal Government ordinance of May 31, 1990, Federal Law Gazette No. 307/1977)

CROATIAN is recognized as an additional official language in the federal province of Burgenland before certain federal, provincial and local authorities and in certain subject matters (Federal Government ordinance of April 24, 1990, Federal Law Gazette No. 231/1990)

### **Minority languages**

Primarily Croatian, Slovene, Czech, Slovak, Hungarian, Turkish

### **Legislation dealing with the use of languages**

*The Constitution of the Republic of Austria, adopted in 1929*

Protection of minority status in Austria has been legislated since 1976. However, this law has not been universally applied. On November 5, 1992, Austria signed the European Charter for Minority or Regional Languages. Since 1995, fifteen organizations representing minority language communities have met in a Committee as part of the Council of the European Bureau for Lesser Used Languages.

All Austrian national minorities have legal protection as stipulated in the "*Staatsvertrag*" STGBI. No.303/1920 - Articles 66 to 68. This, the *St. Germain State Treaty*, is incorporated into the Constitution and as part of this law a consultative body has been established to advise regional and central government on minority protection and the distribution of State funding amongst the linguistic minorities. In addition, the law for national minorities, "*Ethnic Groups Act*" ("*Volksgruppengesetz*" of 7 July 1976 BGBl No. 196/1976) provides minority rights for Slovaks, Romanies, Burgenland Croats, Hungarians in Vienna and Burgenland, Carinthian Slovenes and Czechs.

Because of the 25% barrier introduced by the Ethnic Groups Act, limiting the protection of minorities as guaranteed under Article 7/Z.3 of the Constitutional Vienna State Treaty (1955), an amendment to this law according to the Ethnic Group Basic Act (October 24, 1995 Draft) is needed.

## SLOVENE LANGUAGE

The Slovene language group, in common with other ethnic groups in Austria is subject to the constitutional law, which derives from the *Treaty of St. Germain*. Three Articles of that treaty are the most relevant:

*Article 66*, which conveys equal rights and includes reference to language use by context.

*Article 67*, which guarantees legal equality and the right to establish private schools where any language may be used and any religion preached.

*Article 68*, which affords public primary education in the minority language. The Treaty also guaranteed linguistic and other minorities, which represented a considerable proportion of the regional population, a share of public funds for education, religion and charity.

In 1955 the *Vienna State Treaty* was implemented.

*Article 7* states that Slovenes in Carinthia have the right to have their own organizations, press and public meetings in Slovene, the right to receive primary level education in Slovene and a modicum of secondary level education in that language as well as their own Inspectorate of Education. Slovene was to be treated as an official language in Carinthia and would have a role in the cultural, administrative and judicial systems. Bilingual road signs could be erected and anti Slovene organizations were outlawed.

*The Ethnic Groups Act of 1976* established Ethnic Advisory Councils, which act as consultative authorities and can submit proposals to the federal as well as the regional governments. They also play a role in the funding of the groups to which the Act pertains. These Councils consist of 50% appointees from the representative organization of the ethnic group and the other 50% by political parties or the church respectively, providing they are members of the ethnic group. The Voluntary Cultural Association for Styria was founded in 1988. One of its main goals is to ensure the protection of the constitutional rights of the originally Slovene and now bilingual population of Styria. The Association is currently the sole representative of the interests of the ethnic group.

## CROATIAN LANGUAGE

Croatians in Burgenland (applies also to Slovenes in Styria and Carinthia) enjoy further legal protection in Article 7/Z.3 of the constitutional Vienna State Treaty of May 15, 1955 (Federal Law Gazette No. 152/1955), which contains one of the strongest declarations of rights for these minorities. Legal provisions also exist for Croatian in the Provincial School Act of the Burgenland (LGBI.1937/40).

Burgenland Croats have the following constitutional rights under Article 7/Z.3 of the constitutional Vienna State Treaty:

- To use Croatian with the authorities; granted in 25 communities
- To use Croatian before courts of justice; granted only before 6 district law courts
- To bilingual printed forms; granted only sporadically
- To use Croatian in official publications; not granted in Burgenland
- To bilingual place and road signs, not respected in Burgenland. To date not one single official bilingual topographical sign has been posted

## CZECH LANGUAGE

The rights of the Czechs of Vienna are established in the *“Ethnic Groups Act” of 1976*, which also applies to other groups. In the Treaty of 1955, the Czechs (and the Hungarians) were not mentioned.

*The Bruenner Agreement of 7 June 1920, “Treaty of Brno”* (Czechoslovakia BGBl No. 163/1921) between Austria and Czechoslovakia allows the establishment of private Czech or Slovak schools in Vienna recognized by the State. The treaty also allows for the establishment of public schools in Vienna with Slovak or Czech as languages of instruction.

## SLOVAK LANGUAGE

The Slovaks are subject to the same conditions as other language groups within Austria. Most of these legal conditions pertain to the *Treaties of St. Germain* and the *Austrian Ethnic Groups Act of 1976*. The *Treaty of Brno* between Austria and Czechoslovakia of June 7, 1920 (Federal Law Gazette No.163/1921), which allows the establishment of private Czech or Slovak schools in Vienna recognized by the State and also the establishment of public schools in Vienna with Slovak or Czech as languages of instruction.

These legal concessions grant equality and the freedom to use the Slovak language within different contexts, often subject to self-financing by the language group. Since public funding often depends upon the size of the group the small size of the Slovaks is prohibitive.

## HUNGARIAN LANGUAGE

Legal provisions exist for the Hungarian language in Burgenland in the *Provincial School Act of the Burgenland (LGBl.1937/40)*.

The Hungarian minority is protected by the *Treaty of St. Germain* (State Law Gazette No. 303/1920; Articles 66 to 68), which has constitutional status, and the *Ethnic Groups Act* of July 7, 1976 (Federal Law Gazette No. 196/1976).

## ROMANY LANGUAGE

In 1992 Romas received formal recognition by the Austrian government as a national minority. This placed their language under the protection of the *1976 Ethnic Group Act*.

## **Background notes**

Once the center of power for the large Austro-Hungarian Empire, Austria was reduced to a small republic after its defeat in World War I. After its annexation to Nazi Germany in 1938 and the subsequent occupation by the victorious Allied powers, Austria's 1955 State Treaty declared the country "permanently neutral" as a condition of the Soviet military withdrawal. The Soviet collapse relieved the external pressure to remain unaligned, but neutrality has evolved into a part of Austrian cultural identity, which has led to an ongoing public debate over whether Vienna legitimately can remain outside of European security structures. A wealthy country, Austria joined the European Union in 1995 and, like many EU members, is adjusting to the new European currency and struggling with high unemployment.

## **SECTION B**

### **Where does one observe language to be a problem in the country?**

Since 1995, the Centre of Ethnic Groups of Austria ("Österreichisches Volksgruppenzentrum") has submitted proposals for a new fundamental law for minorities in Austria. The Hungarians and Croats of Burgenland, along with the Slovenes of Carinthia seek a revision of the Law since it does not afford any benefit to the ethnic groups.

The Austrian Member State Committee concerning the situation of minority languages in Austria proposed the resolution at the Annual Assembly of the Council of the European Bureau for Lesser used Languages, held in Trieste on May 31-April 1, 2000. It deals with the following problems, which should be prioritized and resolved:

- The new codification of Austrian minority legislation, especially by the redrafting of the Article 19 of the original Constitution of 1867. Specifically, equal treatment for all the minorities in respect to legislation as well as the right for minority organizations to have due legal process and the right to sue in court is requested.
- The guarantee to use one's first and last name in a minority language. The formal recognition of these names and the use of diacritical signs of minority languages in both formal and semi-formal papers. The use of place names, names of streets and other topographical names in minority languages. The use of traditional Onomastics in formal or semi-formal systems, also in minority languages.
- Recognition of the Slovenes in Styria as a minority community.
- Creation and improvement of bilingual education systems from kindergarten to high school level. Within this system a good teacher training service and training for kindergarten staff. The headmasters of this education system shall have a formal ability to teach and understand the respective minority language.
- Establishment of an international level minority language High school in Vienna.
- Establishment of college level classes in the Komensky School.
- The founding and improvement of minority language broadcasts on ORF national radio and television.
- Assurance of financial provisions for private radio programmes and printed media in minority languages.

- A substantial increase in the allotted budgets of minority organizations, especially for small minority groups, and an adoption of rules concerning the grants for minority languages to be decided in agreement with the representatives of the respective minorities.
- The ratification and implementation of the European Charter for Regional or Minority Languages as it pertains to all Austrian minorities. The implementation of the Framework Convention of the Protection of National Minorities and the involvement of the Non Governmental Organizations (NGOs) representing Austrian minorities in drafting the Austrian report on the implementation of the Framework Convention.

Minorities in Austria are still facing major problems with bilingual education and support for their media. The chairperson of the Austrian Parliament's Human Rights Committee has criticised the government for, on the one hand, passing new legislation granting minorities increased protection while, on the other, closing down their media. The biggest difficulties are in Carinthia, the southern province with a Slovene minority, where Jörg Heider is provincial governor. It is alleged that as many as ten bilingual school principals in that region have been replaced by him. According to the head of the department for bilingual schools in the province, Thomas Ogris, at least four of the new principals are not bilingual in Slovene and German, but speak only German. A number of representatives of Slovene minority organizations do not believe that the replacement of bilingual principals with German speakers is in keeping with the existing legislation. Among the duties of principals is the job of advising and assessing teachers, an impossible task if the principal does not understand one of the two languages. The recent close attention and monitoring of Austrian politics is the likely motivation behind Jörg Haider and the Austrian government now responding positively to requests that have been put forward by the Austrian minorities for decades. According to Austrian Slovene Marjan Pipp, who is the chairman of the Austrian Minority Center in Vienna, the Slovenes do not quite trust words before they see action.

After World War II, a popular movement in South Tyrol agitated for the region to be incorporated into Austria, but the Allies did not support these aspirations. An agreement in 1947 between Italy and Austria provided South Tyroleans with a special autonomous status. The implementation of this status became a continuing point of contention that sometimes erupted into violence between South Tyroleans and Italians and caused friction between Vienna and Rome. However, in 1992 political representatives of the German-speaking South Tyroleans and the Italian authorities in Rome succeeded in drafting legislation that is likely to satisfy South Tyrolean claims for autonomy as an Italian region.

## **The use of language in everyday life e.g. education, broadcasting and other**

### **SLOVENE LANGUAGE**

Is used in education but a number of difficulties pertain to Slovene educational efforts.

Carinthia: For several decades there was a complete lack of bilingual kindergartens in southern Carinthia. To fill this gap the Slovene community pooled impressive financial resources for the administration of 6 private kindergartens. Only in the past few years have the Slovene communities been able to establish 7 bilingual public kindergartens in conjunction with their municipalities.

Carinthian Slovenes have demanded for years that the State Kindergarten Act be amended. The right to bilingual schooling should be expanded to include bilingual kindergarten instruction. The amendment should guarantee that children attending public kindergartens would automatically have access to bilingual training. The current situation is such that villages must individually negotiate, and because of political in-fighting votes are cast against the establishment of public kindergartens.

In elementary schools a separate bilingual (Slovene/German) language class is set up when nine or more children per class register for bilingual instruction. In such cases the class consists solely of pupils taught on a bilingual basis and runs parallel to a class on the same grade level for students being taught exclusively in German. If the number of children registered for bilingual education is under nine then the class remains intact. During the periods when the regular teacher is instructing the bilingual students a teaching assistant is brought in to instruct the non-registered students. This system is intended to guarantee that the children are at all times under the supervision of a teacher: the registered students alternately in German and Slovene, the non-registered students in German only. In 1997/1998 25.7% of all students in the bilingual area were registered for bilingual education.

Registered bilingual Hauptschule (High School) students are offered Slovene language classes in the form of elective courses. Problems have arisen from the fact that these optional Slovene classes often compete with English classes. For understandable reasons many students prefer not to miss English class thereby sacrificing their instruction in Slovene.

The Federal Secondary School for Slovenes in Klagenfurt/Celovec was founded in 1957. The school has enabled the Slovene population of Carinthia, for the first time, to develop a broad base of well-trained citizens educated in Slovene.



The founding of the Bilingual Business Academy in Klagenfurt/Celovec in 1989 fulfils a long-standing request from the Carinthian Slovene community. Training in business and economics has drastically increased in importance over the last decades. The private School for Women's Professions, a parochial Slovene school run by nuns has been upgraded to a Higher Training Institution for Business Professions.

There are several Slovene language weekly journals and periodicals published specifically for the Carinthian Slovenes. The field of electronic media is covered by Radio Carinthia, which broadcasts a daily one-hour radio show in Slovene and the Federal Austrian Radio and Television Network (ORF), which broadcasts a half hour Slovene TV program each Sunday. The Carinthian Slovenes recently founded two private media companies, Radio Korotan and Radio Agora. Both transmit a full day of radio programming in Slovene or bilingually.

Styria: The constitutional right to elementary education in Slovene is not respected in Styria. Modest attempts do exist to offer voluntary training in the Slovene language in various schools on the border with Slovenia; these include optional two-hour language classes for third and fourth graders in many elementary schools.

No media coverage in the Slovene language currently exists. There are neither electronic nor print media services specifically geared to the needs of the ethnic group in Styria.

Carinthian and Styrian Slovenes have the following constitutional rights under Article 7/Z.3 of the constitutional Vienna State Treaty. These rights do not extend to Styria and are observed only in Carinthia:

- To use Slovene before the authorities: The right is granted in only 14 of the - according to the law - 41 communities
- To use Slovene before courts of justice. This right is granted before 3 district law courts
- To bilingual printed forms in the revenue office only
- To bilingual public signage: This right is granted in 68 of the - according to the law - 800 localities

## CROATIAN LANGUAGE

The Burgenland state Kindergarten Act (LBGl.35/1995) provides for the establishment of bilingual kindergartens. Croatian can be declared an "official kindergarten language" if the native Austrian parents and guardians of over 25% of the children make a formal request. Their parents must register the children in order to qualify. If a bilingual kindergarten does not have at least one staff member at its disposal that is fluent in the

language of the ethnic group, then the government is required to appoint an assistant kindergarten teacher. The language of the ethnic group must be adequately taught for at least six hours a week, preferably at least for one hour each day. The use and effectiveness of native language training in kindergarten is almost exclusively dependent on the skills and dedication of the kindergarten teachers.

Since 1994 a child attending a traditional bilingual school can be unregistered from bilingual education. Children attending bilingual schools who have been unregistered must then be taught according to the "normal" teaching plan, i.e. in German. Teachers are no longer permitted to speak Croatian to them. The three hours usually reserved for Croatian class are then replaced with an hour each of German, physical education and handicrafts. The term "bilingual" has not been precisely defined. It remains up to the teacher and the proficiency of the pupils to determine to what extent Croatian is used and to what degree the children should be challenged to improve their skills. An optimal model for the preservation of the native language would be the introduction of mandatory bilingual education in the traditionally bilingual regions.

At secondary level (Hauptschule) teaching for ethnic groups may only be organized on a monolingual basis i.e. in either Croatian or Hungarian. German in these schools is taught for up to six hours a week as a foreign language. The Minority Schools Act provides for the establishment of one secondary school in Oberwart/Borta.

In relation to Article 7 of the 1955 treaty, members of the language group have the right to use Croatian as the official language in administrative and judicial affairs at the regional level. The use of Croatian as the official language is fixed by the 1990 decree. In 26 communities, Croatian is authorized as the official language serving the six relevant regions: Eisenstadt/ Äljezno (9 communities), Güssing/Novi Grad (3 communities), Mattersburg/ Matrstof (3 communities), Neusiedl/Niuzalj (3 communities), Oberpullendorf/Gornja Pulja (5 communities) and Oberwart/Borta (3 communities). Also, Croat can serve as the official language by other administrative bodies such as the military command of Burgenland, the railways and the postal service.

Several Croatian language journals and periodicals are published catering mainly to the Burgenland Croats. The regional service of the Austrian Public Broadcasting (ORF) provides 40 minutes of Croatian programming a day, except on Sundays. The only Croatian television program that can be currently picked up in Burgenland is the weekly 30-minute program for ethnic groups.

The Burgenland Croats recently founded a private radio station, Radio "Mora", which will transmit in the minority language.

Chancellor Schüssel has unveiled the first bilingual German-Croatian sign in the province of Burgenland, forty-five years after such signs were guaranteed by the Constitution. However, the occasion has been overshadowed by the imminent closure of a number of bilingual or multilingual media, both in Burgenland and in the minority Slovene areas of Carinthia. (July 14, 2000, by Brigitte Alfter)

## CZECH LANGUAGE

The Czech educational system is based on the private Voluntary Educational Association, Komenský. The teaching plan of the private Komenský school is set up in parallel to the state teaching plans for elementary and the early years of secondary school. The intended language of instruction in elementary schools is Czech although this facility is now practically bilingual. Second graders receive five hours of German and six hours of Czech language instruction. One hour of English is added in the third grade. Pupils attending higher secondary school classes are taught bilingually. Czech, German and English language instructions supplement the system. The Czech ethnic group currently has no classes at this level. The students must complete their education in a language other than their own after graduating from the Komenský Hauptschule (High School).

The Voluntary Educational Association (Verein) Komenský began the 1996/1997 school year with an academic breakthrough.

The experimental "bilingual secondary school" program offers a limited number of students the opportunity to graduate in a four-year bilingual school setting. The teachers' academy introduced a final exam in Czech in 1991 for its graduating teacher candidates. Czech can be studied on the university level either as a translator, teaching or master's degree program.

The language is included in one television program. There are no Czech radio broadcasts in Austria. The following periodicals are published in Austria in Czech: Viennese Free Press; Journal for Our Fellow Countrymen; Klub; Information Bulletin; Komenský.

## SLOVAK LANGUAGE

There are no Slovak language schools in Austria. The Austrian-Slovak Voluntary Cultural Association organized private Slovak lessons for children in Vienna, which now have been taken over by the city school board which funds two groups of 9 students. The courses have voluntary status. The secondary school for business in Vienna offers training in Slovak as do the Viennese University of Business and Commerce, the University of Vienna and the Academies of Continuing Education.

The Slovak ethnic group has neither radio and television programs nor daily, weekly, or monthly periodicals in its native language. The Austrian-Slovak Voluntary Cultural Association and the Slovak clergy publish the

bulletin "Pohl'ady", which has a circulation of 1,200 and is issued quarterly. It is in Slovak with individual German language articles.

## HUNGARIAN LANGUAGE

The collapse of the Iron Curtain in 1989 did not leave Austria unaffected. The opening of the eastern border led to a consumer boom in Burgenland. Initially the lack of language skills in the region had a negative affect on trade and the labor market. The skyrocketing use of Hungarian then led to a boom in ethnic awareness among members of the ethnic group. The school system began to renew support for teaching in Hungarian. The Minority School Act for Burgenland (1994), as well as stipulations of the Burgenland Mandatory School Act (1995), governs the use of ethnic languages in Burgenland. Since the passing of the Kindergarten Act of Burgenland (Provincial Law Gazette No. 7/1990) Hungarian has been used as the language of instruction and care alongside German in 4 kindergartens in Burgenland. Bilingual Hungarian instruction is offered in the elementary schools in Oberwart/Felssör, Unterwart and Siget in der Wart. In all other schools it is either optional or available on a voluntary basis. One school (Haupschule/High School) in Oberwart/Felsöör introduced one class with Hungarian as the mandatory language of instruction. The secondary school system in Burgenland offers Hungarian training in the following schools: bilingual education in the bilingual secondary school in Oberwart/Felsöör, a mandatory course at the federal secondary school (BG/BRG) in Oberpullendorf and a voluntary course or optional class in various other schools in the state.

The first bilingual class in the federal secondary school in Oberwart/Felsöör is now approaching graduation. The number of students participating has steadily increased.

Three years after the introduction of Hungarian to the secondary business school, the language became so popular that the entire class of 1996 graduated with Hungarian as their second living language requirement. The value of this development can be judged by the success of this graduating class in so far as, not one of them is unemployed. Despite this success story the school dropped Hungarian completely.

The federal Austrian Radio and Television Network (ORF) Burgenland broadcasts a half-hour Hungarian language radio program every Sunday. The program airs in the evening at the same time the TV news is shown. Four times a year, on holidays, ORF Burgenland broadcasts a television program for the Burgenland Hungarians. The establishment of a private station is currently not possible because of technical, financial and legal considerations. The Burgenland Hungarian Voluntary Cultural Association produces the only Hungarian language periodicals published specifically for the Burgenland Hungarians.

## ROMANY LANGUAGE

At present no formal training in Romany exists. The standardization of Romany into a written language with hard and fast grammatical rules is currently underway. The Minority Protection Act for Burgenland (BGBl. No. 641/1994) includes provisions guaranteeing Roma the right to language instruction in the Romany native language. The implementation of this legal right however depends on certain technicalities, which need to be overcome. Because of the educational ban on Romany during the Third Reich and the decades of extreme segregation and discrimination following liberation, Romany families are now suffering from a state of educational underdevelopment, which will take years to reverse.

There are currently neither autonomous radio and television stations nor a daily newspaper serving Roma in Austria. The Roma publish two periodicals independently.

### **Did the country ratify any international treaty dealing with the protection of minorities?**

European Charter for Regional or Minority Languages signed on November 11, 1992. Austria has announced the creation of a new law aimed to provide itself with the legal devices necessary for the ratification of the European Charter for Regional or Minority Languages. The new law will be discussed in the National Assembly in order to be approved before January 1, 2001.

Framework Convention for the Protection of National Minorities signed on February 1, 1995, ratified on March 31, 1998 and came enacted on July 1, 1998.

### **What else can be found about languages and minorities?**

An amendment to the Austrian Constitution was passed on July 7, 2000 in Parliament aimed at strengthening the respect, safeguard, and promotion of the recognized minorities of the country. Whether it will lead to a revision of the existing minority laws such as the Ethnic Act of 1976 is still uncertain. For the moment, it remains a moot point while the European Charter for Regional or Minority Languages has not been yet ratified. The amendment could be considered as a framework within which a new legislation will be created and the old one checked to be in accordance with its stated principles. This is an important legal step to be taken, as the constitutional amendment in itself does not refer to any specific individual or collective rights.

On its way to the ratification of the Council of Europe's European Charter for Regional or Minority Languages and after the reprimand from the other European state members, Austria has proposed several measures aimed at the reinforcement of its linguistic minorities' rights. On the one hand, there

has been the approval of a decree, which would allow the existence of bilingual street signs (Hungarian-German, Croatian-German) in the province of Burgenland; and, on the other hand, it has set forth a constitutional reform in order to recognize, for the first time, the rights of historic minorities in the Austrian constitution. Both proposals need to count on the opposition's support to be approved. This fact will therefore lead to a hard negotiation. It is, however, a positive fact if we consider that minority groups in Austria have been long awaiting the concretion of the rights included in the 1955 State Treaty. Such novelties may be significant indeed, although its real development may be determined by the current political situation of this European country.

## **SECTION C**

### **Legislation dealing with the use of languages**

***Updated (January 2001)***

#### **NEW LAW ON MINORITY BROADCASTING**

The Austrian council of ministers has approved a new law concerning linguistic minorities and the public broadcaster ORF. The new law ensures that for the first time the six official minority languages in Austria (Croatian, Slovene, Hungarian, Czech, Slovakian, and Roma) are mentioned in ORF policy documents. Under the legislation, it is up to the state's audience council (which represents Austrian listeners and viewers) to decide about the exact number of minority programs in a year.

However, Austrian minority representatives have strongly criticized the fact that the law also allows ORF to broadcast these programs on private radio stations and therefore frees the state broadcaster from its obligation to provide such a service. They demand ORF to confirm explicitly in its policy document that it will produce and broadcast the minority programs itself and to ensure that large groups of Burgenland Croats, Hungarian, Slovaks and Czechs in Vienna, as well as the Slovenes in Carinthia will have their own special programs in the future.

#### **SLOVENES**

The Austrian parliament will pass a bill concerning bilingual education in Carinthia following a recent decision by the Austrian Constitutional Court. Now parents will be able to choose bilingual German-Slovene education for the first four years of primary school instead of the three years. This follows a ruling by the Austrian Constitutional Court last year and it is expected to be implemented during plenary meeting in the Austrian Parliament in June.

### ***Updated (July 2001)***

However, Haider's discussions about the closure of the bilingual schools in Carinthia are causing astonishment and panic among the Slovenian representatives. They define the closure as a "contradiction to the regulations of the Austrian convention and the European democratic standards". Haider points out that the concerned communities themselves were in favor of the closure. Furthermore, 40 new bilingual teachers will start in autumn, Haider says, because of the constitutional court decision stating that bilingual classes should be provided all four years of elementary schools, instead of only three years.

### ***Updated (December 2001)***

Austria's Constitutional Court declared the law that limits the right for bilingual place name signs to communities with a minimum of 25% minority members as unconstitutional. According to the Constitutional Court, a percentage of "more than 10% of minority members over a longer term" is sufficient, reports the minority service of the Austrian Broadcaster ORF.

Bilingual place name signs are guaranteed by the Constitution for districts in Carinthia, Burgenland and Styria with Slovene, Croat or mixed population. However, the 1976 law of implementation states that bilingual place name signs are to be put up only in districts with a "considerable" (25%) minority population. The Constitutional Court decided that the original law text does not clearly implement a minimum of 25% of minority speakers. "According to the international practice, minority rights are given if the minority makes up 5 to 25% of the population," said the president of the Constitutional Court Ludwig Adamowich.

Slovene minority representatives in Carinthia welcomed the amendment.

However, the Governor of Carinthia, Jörg Haider, is not happy at all with this verdict. According to Haider, the Court decision was an "accelerated carnival joke". He will stick to the regulation from 1976 and not put up any additional place name signs. Haider also plans a referendum and the preparations for it should start in January 2002.

On the second hand, the Governor of Burgenland, Hans Neissl from the Social democrats, had no problem with additional place name signs, "We will continue to go our common way with the minorities and to find the solution together. Therefore we will stick to the Court decision and apply the new legal regulation by putting up bilingual place name signs where the law foresees it."

### ***Updated (June 2002)***

The Austrian Parliament will soon pass a law according to which all immigrants (except those coming from the EU) arriving to Austria or those who have settled in since 1998, must attend German lessons (at least 100 hours).

The bill also stipulates that some 750,000 immigrants, coming mainly from Turkey, the former Yugoslavia and the Balkans, are to pay part of the related costs. Those who refuse to take the lessons can even lose their residence.

Source: Mercator, <http://www.troc.es/ciemen/mercator/index-gb.htm>, June 2002

### ***Updated (September 2002)***

#### **SLOVENE MINORITY**

If a high court ruling on minority legislation is not implemented before the end of this year, Austria is heading for an "illegal situation," claimed legal experts.

"No more bilingual place name signs in bilingual communities in the Austrian province of Carinthia," is the status after a special commission did not reach an agreement on how to implement last year's high court ruling on this question.

The Austrian chancellor, Wolfgang Schüssel made a proposal for the Slovene minority in Carinthia to double the number of bilingual signs from 74 to 148, to support kindergartens, schools, culture and media, and to organize regular meetings between the Slovene minority and the German nationalist group. In the same solution-package the minority was asked to sign a declaration, that their constitutional rights thus were fulfilled. Minority representatives called such a declaration "a symbolic suicide." Slovenia is sorry about collapse of the negotiations, and describes Schüssel's suggestions as unacceptable for the minority.

The Slovene and the Croatian minority in Austria enjoy a number of basic rights according to the Article 7 of the 1955 Constitution. Bilingual education and bilingual place name signs are explicitly mentioned in the Constitution, and the activities of organizations threatening the existence or the rights of minorities are prohibited.

In December last year the constitutional court ruled that bilingual place name signs have to be put up in all communities, where the Slovene or the Croatian minority creates more than 10 percent of the population, thus overruling the Austrian legislation on place name signs saying that only



communities, where more than 25 percent belong to the minority, can have bilingual signs.

Minority representatives speak of nearly 400 signs, or – if small villages are not taken into account – at least 200 signs in Carinthia that have to be put up according to the high court ruling.

In the three provinces where Slovene and Croatian minorities live, place name signs haven't been put up according to the law yet. The leader of the province of Carinthia, Jörg Haider, in December 2001 announced that he considers the ruling to be a joke, and he intends to ignore it. Shortly before Christmas he also suggested to remove all existing bilingual place name signs and to focus on other issues of minority protection.

Source: Eurolang News, Flensburg, September 13, 2002, by Brigitte Alfter, [www.eurolang.net](http://www.eurolang.net)

### ***Updated (December 2002)***

#### **CROATIAN**

Minority rights for Croatians in Burgenland are recognized under Article 7 of the *Austrian State Treaty of 1955*, which is an integral part of the Austrian Constitution. The Austrian Constitution, the State Treaty of 1955 and the *1976 Law on Ethnic Groups* regulate language use but do not contain specific personal rights or ethnic group rights.

Within Burgenland the use of Croatian in dealings with state administration was only legalized by a decree in 1990, after Croatians had fought their cases all the way to the Austrian Constitutional Court.

Bilingual topographical signs, although their use was expressly instituted by Article 7 of the Austrian State Treaty (1955), were erected only in July 2000, after a government decree had put an end to 45 years of bickering between political parties, local administrations and provincial and federal governments.

Despite a lack of official recognition, Croatian has always been widely used in all spheres of public life in Burgenland, especially at a local level, although before 1990 it was not used in written form. All Croatian speakers in Burgenland today are in fact bi-, tri- or multilingual.

#### **EDUCATION**

Education in Croatian was first regulated by the *Burgenländisches Landesschulgesetz of 1937*, which guaranteed tuition in Croatian at primary school level in all municipalities where the minority made up at least 30 percent of the local population. However, no provisions were made for secondary schools. The new *Minority Language School Law of 1994* (*Minderheitenschulgesetz für das Burgenland*) brought a number of

changes. Whereas the old school law of 1937 linked tuition rights in Croatian with the census figures, the new law provided for tuition in Croatian in all provincial schools, classifying 28 local primary schools and 2 lower secondary schools as bilingual German-Croatian.

The possibility of tuition in Croatian was extended to the whole educational system within the province and the number of pupils necessary to open a class has been reduced. Specifically the number of pupils required for the introduction of Croatian as an optional subject was reduced to seven pupils, in some cases five. Since 1994, bilingual school certificates can be issued to pupils of the bilingual schools.

However, the new law has some major flaws. According to the old law of 1937, all pupils in the bilingual municipalities had to attend bilingual schooling irrespective of their mother tongue, while currently parents may opt out of the bilingual education. Whereas the old school law defined the extent to which Croatian had to be used in tuition, the new law contains no such provisions, defining either the extent of minority language tuition, or curricula or general educational goals and standards for minority language schooling. Thus Croatian tuition and language planners have labelled it as “the beginning of the end of bilingual tuition in Burgenland.”

Source: Mercator Education, Regional Dossiers, the Croatian Language in Education in Austria

[http://www1.faknaw.nl/mercator/regionale\\_dossiers/regional\\_dossier\\_croatian\\_in\\_austria.htm](http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_croatian_in_austria.htm)

## SLOVENIAN

Minority rights for Slovenes in Carinthia are recognized under Article 7 of the State Treaty of 1955 and are based on territorial principles, according to which an access to minority schools is granted.

The Austrian Constitutional Law, the State Treaty and the Ethnic Group Law (Volksgruppengesetz) of 1976 do not contain any direct guarantee of protection for the ethnic group itself, but to some extent regulate language use. Nevertheless, the absence of any coordinated language planning and policy in Austria very often leads to numerous different laws and regulations concerning the use of language in the country.

There are 35 municipalities in the bilingual area in Carinthia. Only 6 of them have topographic signs in both languages; in 13 municipalities Slovenian is recognized as the official language for communal matters, but only in 9 Slovenian can be used when dealing with the local police. In all of the 35 municipalities parents have the right to ask for bilingual education for their children, and Slovenian can be used in the churches.

Source: Mercator Education, Regional Dossiers, the Slovenian Language in Education in Austria (Carinthia),

[http://www1.faknaw.nl/mercator/regionale\\_dossiers/regional\\_dossier\\_slovenian\\_in\\_austria.htm](http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_slovenian_in_austria.htm)

***Updated (May 2003)***

THE STATE TREATY OF ST. GERMAIN AND THE VIENNA STATE TREATY

The earliest constitutional provisions date back to the State Treaty of St. Germain (Federal Law Gazette No. 303/1920).

Article 66 of the Treaty stipulates that all Austrian nationals are equal before the law and enjoy the same rights without distinction as to race, language or religion; furthermore, the free use of any language in private life, in commerce, in religion, in the press or in publications of any kind, or at public meetings is protected.

Article 67 of the Treaty lays down that Austrian nationals who belong to ethnic, religious or linguistic minorities enjoy the same treatment and security under the law and in reality as the other Austrian nationals. This Article underlines in particular that they have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language freely therein.

Another constitutional provision guaranteeing equal treatment and prohibiting discrimination is Article 7 of the Vienna State Treaty. Paragraph 1 stipulates that Austrian nationals belonging to the minorities enjoy the same rights as all other Austrian nationals, including the right to their own organizations, meetings and press in their own language.

Paragraph 4 of the same article stipulates that nationals of the minorities are granted the right to participate in the cultural, administrative and judicial systems on equal terms with other Austrian nationals.

Paragraph 5 prohibits organizations whose aim is to deprive minorities of their minority capacity or rights.

***BURGENLAND-CROATIAN IN THE BURGENLAND-CROATIAN LANGUAGE AREA IN THE LAND OF BURGENLAND***

In accordance with *the 1995 Burgenland Act on Nurseries*, State Law Gazette No. 63 as amended in Federal Law Gazette No. 91/2002, Burgenland-Croatian is the compulsory second language in nurseries in specific communities defined by the law. In other communities in Burgenland the Burgenland-Croatian language has to be used as a medium of instruction in nurseries if at least 25 percent of parents/guardians request it upon registration. In these nurseries Burgenland-Croatian has to be used to the extent necessary but not less than six hours a week.

By virtue of the constitutional provision of Article 1 (1) of *the Minority Schools Act for Burgenland*, Austrian nationals belonging to the Burgenland-Croatian minority are granted the constitutional right to have education in their language or to learn Burgenland-Croatian as a compulsory subject. Article 3 of the Act provides for primary schools or classes at primary schools where instruction is given in Burgenland-Croatian and German (i.e. bilingual primary schools or classes). The Minority Schools Act for Burgenland also guarantees the continuation of existing bilingual primary schools (Article 6 (2)) and permits the establishment of additional bilingual primary schools in the event of long-term demand (Article 6 (3)).

Article 6 (1) of this Act stipulates that bilingual primary schools have to be available in those communities and to the extent that all members of the Burgenland-Croatian ethnic group who register, would be able to attend such schools.

In conformity with the Minority Schools Act for Burgenland, the Burgenland-Croatian language is taught in lower secondary schools, special higher secondary schools and in special language programs also at other schools in Burgenland, i.e. generally in all state-run schools of Burgenland.

Due to the university autonomy guaranteed under the law, the powers of the government to intervene in university study courses are limited. Croatian is; however, offered at Austrian universities as a study course.

In Austria the curricula take into account the history and culture reflected in the minority language (cf. in particular the Ordinance issued by the Federal Ministry for Education that serves as a basis for designing the curricula for minority primary schools and teaching in minority languages in primary and lower secondary schools in Burgenland and Carinthia, Fed. Law Gazette No. 1966/118, as amended in Fed. Law Gazette Vol. II, No. 1998/309).

Moreover, the subject “mother tongue education” (offered as an optional subject or a subject without formal assessment) includes facts and figures on the country of origin of the pupils concerned.

In accordance with Articles 13 of *the Ethnic Groups Act* in conjunction with *the Ordinance regarding the Use of Croatian as an Official Language*, Croatian is admissible to be used upon request as the second official language in addition to German before the district courts of Eisenstadt, Güssing, Mattersburg, Neusiedl am See, Oberpullendorf and Oberwart as well as before the Eisenstadt Regional Court.

In accordance with the same article, Croatian is admitted as an additional official language before administrative authorities within the districts mentioned above. A person is entitled to submit written and oral applications in this language and to receive decisions and orders of the authorities in German and Croatian (Article 16 of the Ethnic Groups Act).

## *SLOVENE IN THE SLOVENE LANGUAGE AREA IN THE LAND OF CARINTHIA:*

On October 1, 2001 *the Carinthian Nursery Funds Act* (State Law Gazette No. 74/2001) entered into force. The aim of this Act is to promote private bilingual or multilingual nurseries of the Slovene minority in Carinthia.

In accordance with Article 10 (1) of *the Minority Schools Act for Carinthia*, primary schools for the Slovene minority have to be located in communities where bilingual elementary instructions were provided at the beginning of the school year 1958/59. This legislation ensures that all pupils of primary schools in Carinthia regions may receive Slovene or bilingual education.

The parents/guardians of pupils have to register them either for Slovene or bilingual education. In bilingual primary schools (grades 1 to 4) instruction has to be provided in both German and Slovene to the same extent. From grade 5 onwards, German becomes the language of instruction but the syllabus has to provide for four lessons a week in the Slovene language (having the status of a compulsory subject). Religious instruction has to be offered in Slovene and German in all bilingual grades.

To support bilingual teaching, a second teacher has to be appointed for mixed classes. If children enrolled for bilingual instruction do not have an adequate command of the Slovene language, remedial teaching in Slovene has to be offered. Slovene can also be studied as a subject without formal assessment at German-only primary schools in Carinthia.

In conformity with the *Minority Schools Act for Carinthia*, the Slovene language is taught in lower secondary schools, special higher secondary schools and in special language programs also at other schools in Carinthia, i.e. generally in all state-run schools of Carinthia.

Article 24 of the *Minority Schools Act for Carinthia* provides for bilingual higher secondary education. Such a school is located in Klagenfurt and Slovene is used there as a medium of instruction, while the use of German in all subjects is also compulsory. Pupils have to have an adequate command of the Slovene language to be admitted to this school. German is a mandatory subject in the final school leaving examination.

As for university education, Slovene is offered at Austrian universities only as a study course.

In accordance with Articles 13 of *the Ethnic Groups Act* in conjunction with *the Ordinance regarding the Use of Slovene as an Official Language*, Slovene is admissible as the official language in addition to German before the district courts of Ferlach, Eisenkappel and Bleiburg as well as before the Klagenfurt Regional Court. Any resident of the indigenous settlement area may request to use Slovene as the official language in criminal proceedings conducted against him/her before these courts.

In the districts mentioned above Slovene is admitted as an additional official language before administrative authorities. This means that a person may deal with such an authority in Slovene. A person is also entitled to submit written and oral applications in this language and to receive decisions and orders of the authority in German and Slovene (Article 16 of the Ethnic Groups Act).

In proceedings before the above-mentioned administrative authorities conducted in Slovene, written and oral applications in Slovene have to be translated into German *ex officio* (Article 14 (1) Ethnic Groups Act). Pursuant to Article 15 of this Act, the services of interpreters have to be used if necessary. If records of these proceedings are prepared in German, they have to be translated immediately into Slovene.

#### *HUNGARIAN IN THE HUNGARIAN LANGUAGE AREA OF THE LAND OF BURGENLAND:*

In accordance with Article 2 (a) of *the 1995 Burgenland Act on Nurseries* (State Law Gazette No. 63 as amended in Fed. Law Gazette No. 91/2002) in nurseries, in specific communities defined in the law, Hungarian is the second compulsory language. Upon request of at least 25 percent of the parents/guardians Hungarian can also be used as a medium of instruction in nurseries in other communities of Burgenland. In these nurseries Hungarian has to be used to the extent necessary but not less than six hours a week.

By virtue of the constitutional provision of Article 1 (1) of *the Minority Schools Act for Burgenland*, Austrian nationals belonging to the Hungarian minority are granted the right to Hungarian language instruction or to learn Hungarian as a compulsory subject. Article 3 of the Act provides for primary schools or classes where instruction is provided in both Hungarian and German (bilingual primary schools or classes). The Minority Schools Act for Burgenland also guarantees the continuation of existing bilingual primary schools (Article 6 (2)) and permits the establishment of additional bilingual primary schools in the event of a long-term demand (Article 6 (3)).

In conformity with the Minority Schools Act for Burgenland, the Hungarian language is taught in lower secondary schools, special higher secondary schools and in special language programs also at other schools in Burgenland, i.e. generally in all state-run schools of Burgenland.

Hungarians do not have their university but Hungarian is offered at Austrian universities as a study course.

In accordance with the Articles 13 of *the Ethnic Groups Act* in conjunction with *the Ordinance regarding the Use of Hungarian as an Official Language*, Hungarian is admissible as an official language in addition to German before the district courts of Oberpullendorf and Oberwart as well as before the Eisenstadt Regional Court. Everybody may request to use Hungarian as

the official language in criminal proceedings conducted against him/her before these courts.

Hungarian is also admitted as an additional official language before administrative authorities in these districts and it means that a person may apply to such an authority to use Hungarian. A person is entitled to submit written and oral applications in this language and to receive decisions and orders of the authority in German and Hungarian (Article 16 of the Ethnic Groups Act).

In proceedings before the above-mentioned administrative authorities conducted in Hungarian written and oral applications in Hungarian have to be translated into German *ex officio* (Article 14 (1) Ethnic Groups Act). Pursuant to Article 15 of this Act, the services of interpreters have to be used if necessary. If records of these proceedings are drawn up in German, they have to be translated immediately into Hungarian. In accordance with Article 22 of this Act, costs arising from such translations or from interpretation have to be borne *ex officio*.

#### GENERAL LEGISLATION

Based on Article 21 of *the Personal Status Act* in conjunction with Article 154 of *the Austrian Civil Code* (ABGB), parents decide about the first name of their child. There is no requirement under the Austrian law that a German first name or surname must be given to the children. Article 5 (3) of *the Personal Status Ordinance* states that the transcription of personal names with Latin characters has to be true to the characters and marks of the original. This means that diacritical marks not used in the German language have to be reproduced.

However, the personal status register has to be kept in German (Article 18 of the Ethnic Groups Act). If documents drawn up in the language of an ethnic group are submitted upon registration, the authority has to procure translation into German. On the other hand, extracts from the register have to be translated into the respective minority language if requested (Article 20 Ethnic Groups Act).

*The Act amending the Law on Name Changes* grants people a far-reaching right to change their names. Members of linguistic minorities who adopted a Germanized name are able to change it to a name in the minority language. Names may now be changed for any reason.

Source: Council of Europe, Initial Periodical Report by Austria presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, January 23, 2003,  
[http://www.coe.int/t/e/legal%5faffairs/local%5fand%5freional%5fdemocracy/regional%5for%5fminority%5flanguages/documentation/1%5fperiodical%5freports/2003\\_5e\\_MIN-LANG%20PR\\_Austria.asp](http://www.coe.int/t/e/legal%5faffairs/local%5fand%5freional%5fdemocracy/regional%5for%5fminority%5flanguages/documentation/1%5fperiodical%5freports/2003_5e_MIN-LANG%20PR_Austria.asp)

## **Background notes**

***Updated (December 2002)***

### **CROATIAN**

Croatian, in the regional variant of Gradišansko hrvatski, is the second official language of the Austrian province of Burgenland, besides German.

Croatian, belonging to the southern Slavic language group, has been spoken in Burgenland since the 16<sup>th</sup> Century and developed into a standardized language in the late 19<sup>th</sup> Century. It differs somewhat from the Croatian language spoken in the Republic of Croatia.

Apart from Burgenland, where this language is spoken by approximately 30,000 people in fifty villages, there are about 12,000 speakers of Gradišansko hrvatski in Vienna, and around 10,000 in villages across the borders in Hungary and Slovakia.

### **EDUCATION**

For over hundred years the teaching of Croatian was closely linked with religious and political issues. It was originally promoted by the anti-liberal Viennese Habsburg court, in order to isolate the Croatian-speaking rural population from the liberal and anti-royalist Hungarian and German national movements. Croatian was taught in Catholic village schools, directly supervised by local priests, whilst teachers were employees of the Catholic congregation. In Burgenland this structure remained in place until 1938, when, following the annexation of Austria to the Third Reich, all schools were nationalized and teaching in minority languages was generally abolished until 1945.

The reform of the Austrian school system in 1962, replacing the last four years of eight years in a primary school with four years in a lower secondary school, led to the effective abolition of Croatian education after the age of ten.

Croatian, which had previously functioned as the language of everyday life in the farming communities, became increasingly restricted to family life and Catholic Church functions.

The break-up of traditional family structures and the reduced role of Croatian in the new four-year primary education have greatly diminished the active transmission of Croatian within families.

Today, even if more and more parents actually want their children to learn Croatian, or at least do not mind if they do so, teachers deal with the pupils who can hardly speak the language, and are left to battle this process with educational means and legal provisions which they consider insufficient.



Source: Mercator Education, Regional Dossiers, the Croatian Language in Education in Austria

[http://www1.faknow.nl/mercator/regionale\\_dossiers/regional\\_dossier\\_croatian\\_in\\_austria.htm](http://www1.faknow.nl/mercator/regionale_dossiers/regional_dossier_croatian_in_austria.htm)

## SLOVENIAN

Slovenian belongs to the southern Slavic language group and has been used in writing since the 16<sup>th</sup> Century (translation of the Bible). Geographical, cultural and historical factors have led to the development of an unusually large number of dialects with differences on the phonological and lexical level.

### *EDUCATION*

Basically the minority school system reaches back to the times of the Austro-Hungarian monarchy. Schools were considered as means of homogenizing the heterogeneous population. Lessons in a mother tongue were introduced only in the first three grades of primary schools in order to enable pupils to follow lessons in the German language as soon as possible. Thus the Austrian school system was based on the German language and all other languages were considered merely auxiliary.

In 1938, Austria was annexed to the Third Reich. Minority schools were abolished and minorities were severely persecuted.

In 1945, lessons in minority languages were taken up again and a new school system was introduced. In the Slovenian speaking areas all subjects in primary schools were taught simultaneously in German and Slovenian and all pupils were supposed to learn both languages. But even in this period, from the third grade onward, German was the major medium of instruction, and Slovenian was taught only as a subject. However, this was the only part of the Austrian minority schools' history when the minority language had some regional relevance for the majority population.

In 1958, due to German nationalist pressure, compulsory bilingual schooling was abolished and parents had to declare whether they wanted their children to learn Slovenian at school or not. Despite the fact that minority rights were granted by the Law on a Territorial Principle, somehow a personal declaration principle was introduced. Pressure was exerted on parents to remove their children from Slovenian lessons. The result was that after 1958 only about 20 percent of the children in the region attended bilingual lessons in primary schools. In subsequent years the number continued to fall, but since the late eighties there has been a new rise in the number of pupils attending bilingual schools.

Today 25 percent of the pupils in primary schools also learn Slovenian (according to the statistics of 1996/97). This increase is due to the social and political changes that took place in the early nineties, when the state

border between Austria and Slovenia was no longer considered a frontier between two different political systems.

Source: Mercator Education, Regional Dossiers, the Slovenian Language in Education in Austria (Carinthia),  
[http://www1.fh.knaw.nl/mercator/regionale\\_dossiers/regional\\_dossier\\_slovenian\\_in\\_austria.htm](http://www1.fh.knaw.nl/mercator/regionale_dossiers/regional_dossier_slovenian_in_austria.htm)

### ***Updated (May 2003)***

In Austria the following minority languages are spoken:

- ❖ Burgenland-Croatian in Burgenland
- ❖ Slovene in Carinthia and Styria
- ❖ Hungarian in Vienna and Burgenland
- ❖ Czech in Vienna
- ❖ Slovak in Vienna
- ❖ Romanes in Burgenland

### **THE CROATIAN MINORITY**

More than 450 years ago, Croats settled in a region then defined as western Hungary (now Burgenland, the border region of western Hungary, parts of Lower Austria, Slovakia and the Czech Republic). After 1848 the population in this region has started to develop a Croatian identity.

Today, about 30,000 Burgenland Croats (based on the estimate provided by this ethnic group) live in approximately fifty locations in Burgenland. About 12,000 Burgenland Croats live in Vienna. According to the 2001 national Census, a total of 19,374 Austrian nationals use Burgenland Croatian in everyday communication.

### **THE SLOVENE MINORITY**

About 1,400 years ago, Slovenes (previously Slavs of the Alps) settled also in the territories of Carinthia and Styria. Due to the inflow and settlement of Bavarian and Franconian peasants starting in the 9<sup>th</sup> Century, the Slovenes were driven in a process of mutual assimilation to south and south eastern Carinthia as well as lower Styria.

In the 15<sup>th</sup> Century a linguistic border started to develop along the Carinthian towns of Hermagor, Villach, Maria Saal, Diex and Lavamünd, which remained intact until the mid-19<sup>th</sup> Century.

The development of tourism, industry and trade in the second half of the 19<sup>th</sup> Century fostered the use of the German language and nurtured

assimilation. After the collapse of the Austro-Hungarian Empire, the question to which state Carinthia should belong arose. The State Treaty of St. Germain laid down that two Carinthian regions populated exclusively or predominantly by Slovenes (i.e. Seeland and the Mieß valley) had to be ceded to Yugoslavia.

In the plebiscite held on October 10, 1920 with a crucial question whether south Carinthia should be a part of Austria or Yugoslavia, 59 percent favored Austria. Thus the Carinthian territory remained practically intact. Before the plebiscite (on September 28, 1920), the Provisional Regional Assembly of Carinthia had adopted a resolution which appealed to the Slovenes of Carinthia and committed itself "to preserve linguistic and national identity of the Slovene compatriots now and forever and to promote the prosperity of their intellectual and economic life in the same way as that of the German-speaking inhabitants of the *Land*."

Estimates on the number of the Slovenes in Austria vary greatly. In the last Census in 2001, a total of 17,953 Austrian nationals stated to use Slovene as their language for everyday communication. According to the recent scientific research on the Slovene language proficiency conducted in the political districts of Carinthia, about 59,000 persons aged 15 and over have a varying degree of Slovene language proficiency. However, this does not necessarily mean that all these people are members of the Slovene ethnic group. The Slovene organizations alleged that currently there are about 50,000 Slovenes living in Austria.

Members of the Slovene minority also live in Styria.

#### THE HUNGARIAN MINORITY

The present Hungarian minority descends from early settlers who were in charge of protecting the western border for the Hungarian kings. These frontier guard settlements can still be found along the Hungarian border as reflected in the village names such as Oberwart and Siget in der Wart ("Wart" is an obsolete German term for "guard"). When Burgenland became a part of Austria in 1921, the Hungarians living in this region became a minority.

While in the interwar period this ethnic group maintained close contacts with Hungary, the situation changed after World War II. The social changes as well as the Iron Curtain had an adverse impact on the status of Hungarian as the first language and resulted in a strong linguistic assimilation, a trend counteracted only by intensified private education movement. Today many of those aged between 30 and 60 do not speak Hungarian.

The fall of the Iron Curtain has had a very favorable effect on the Hungarian minority in Burgenland because it became easier to maintain contacts with

Hungary. The linguistic identity of the Burgenland Hungarians has been strengthened.

The present settlement area comprises the regions of Oberwart (Oberwart, Unterwart and Siget in der Wart) and Oberpullendorf (Oberpullendorf and Mittelpullendorf). Burgenland Hungarians live also in larger villages and towns, e.g. Eisenstadt, Frauenkirchen. Moreover, Hungarian families have been living in Graz and Vienna for centuries.

According to the estimates provided by organizations of this ethnic group, around 20,000 to 30,000 Hungarians are currently living in Austria. In the 2001 Census, a total of 25,884 Austrian nationals stated to use Hungarian as a language of everyday communication.

### THE CZECH MINORITY

Czechs have lived in Vienna since the days of King Premysl Otakar. In the late 18<sup>th</sup> Century, immigration was so massive that official announcements in the suburbs of Vienna had to be published also in Czech.

Czech immigration into Vienna peaked between 1880 and 1890, when more than 200,000 Czechs, the majority of them blue-collar workers and craftsmen, moved to the city. The Czech community in Vienna certainly had its heyday after the turn of the century. At that time, Vienna was "the second largest Czech city in the world" when more Czechs lived only in Prague.

Despite fierce political opposition, Vienna's Czech community succeeded in founding the first independent Czech schools. Thanks to a wealth of Czech enterprises, crafts associations, cooperative societies, banks and newspapers as well as political parties but also an intense social life in countless associations, the Czechs living in Vienna were able to communicate exclusively in Czech in all spheres of everyday life.

After the two World Wars, two big waves of Czechs returning to their home country halved their numbers in Vienna. In the 1960s, a steady decline was recorded reaching its lowest point in 1968. However, the situation in Czechoslovakia in 1968 and 1969 forced many Czechs to emigrate to Vienna (10,000 Czech citizens applied for political asylum in Austria).

Those who remained in Austria in the 1950s split into two groups, one maintaining and the other, larger part, refusing the official contacts with communist Czechoslovakia. It was only in the 1990s, when the community was reconciled and agreed on common Advisory Council representing the entire Czech minority in the Federal Chancellery.

Currently about 20,000 Czechs live in Vienna. In the last population Census in 2001, 11,035 Austrian nationals stated to use Czech as their language of everyday communication.

## THE SLOVAK MINORITY

The Austrian Slovaks are a small ethnic group who settled in this area many centuries ago. The first Slovaks lived in the eastern regions of Lower Austria between the 5<sup>th</sup> and 9<sup>th</sup> Century. Linguistic and ethnographic analyses indicate that Slovaks have populated these regions continuously (about one quarter of this ethnic group lives in Lower Austria).

However, the majority of Slovaks, i.e. about two thirds, are resident in Vienna. They also live in Upper Austria and Styria.

The highest number of Slovaks living in Austria (about 70,000) was recorded around 1900, with most of them living in Vienna and the Marchfeld region (Lower Austria). Then the Slovak population declined sharply (around 1914 to 20,000 and in 1923 to only 4,802). Since then there has been a steady decline. In the 2001 Census, a total of 3,343 Austrian nationals stated to use Slovak as their habitual language of communication. Out of this number 1,412 persons lived in Vienna. However, according to the estimates by Slovak organizations the number of Slovaks in Austria is considerably higher (between 5,000 and 10,000).

By an amendment to the Ordinance promulgated in the Federal Law Gazette No. 38/1977 (Fed. Law Gazette 148/1992), Advisory Council was established for this minority on July 21, 1992.

Source: Council of Europe, Initial Periodical Report by Austria presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, January 23, 2003,  
[http://www.coe.int/t/e/legal%5faffairs/local%5fand%5freigional%5fdemocracy/regional%5for%5fminority%5flanguages/documentation/1%5fperiodical%5freports/2003\\_5e\\_MIN-LANG%20PR\\_Austria.asp](http://www.coe.int/t/e/legal%5faffairs/local%5fand%5freigional%5fdemocracy/regional%5for%5fminority%5flanguages/documentation/1%5fperiodical%5freports/2003_5e_MIN-LANG%20PR_Austria.asp)

### **Where does one observe language to be a problem in the country?**

#### ***Updated (January 2001)***

Conflict between Jörg Haider and Slovene minority:

In April, governor of the province of Carinthia, Haider demanded a change to the Austrian constitution provisions concerning minority protection and refused to implement request made by the Slovene minority in this province following a High Court decision last year. According to the decision of the Austrian High Court last year the Slovene and Croatian minorities can claim that their language is the second official language in communities where more than 10.4% of the population belongs to the minority. Following the High Court decision, Slovenes has requested change of the legislation concerning bilingual place names to be applied in communities with minimum of 10.4%. (Currently, it should be applied with a minimum 25%)

There is still problem with school bilingual principals who have been replaced by monolingual German speakers. Jörg Heider, who is responsible for schooling, removed from advertisements the request of knowledge of the minority language as a qualification. This is not in the compliance with federal legislation on bilingual schools. German nationalist group "Kärntener Heimatdienst" (Carinthian Home Service) considers the request for knowledge of Slovene a discrimination against German teachers. Lawyer Rudi Vouk will approach the Constitutional Court on behalf of these two teachers. According to him, this case will be a precedent for the whole province. He expects a decision not before the end of 2002.

### ***Updated (August 2001)***

#### SLOVENE

The Slovene minority considers taking yet another question of minority rights to the Austrian Constitutional Court. The focus is on bilingual schools. The Austrian State Treaty of 1955 guarantees bilingual education in the bilingual regions. Now six bilingual schools in villages are threatened to be incorporated into branches of larger schools.

"Every movement on minority rights in the last 10-15 years has been moved due to decisions by the constitutional court", says Vouk, a lawyer of Klagenfurt, who is involved in cases concerning minority rights. Currently two cases are waiting to be decided upon by the court, one about bilingual place name signs, and another one about bilingual principals at bilingual schools. Further cases about bilingual place name signs are waiting for decisions in lower courts. Another case that may be also on the way, is a minority radio station in Vienna which was denied license to broadcast recently.

#### PROVINCE OF BURGENLAND

Quadrilingual radiostation, Mora/Antenne4 did not receive money which had been granted by the Parliament of the province and which will allow it to run until the end of September. Money has been blocked by ÖVP (the local Peoples Party) members of the Parliament. If the minority broadcaster Mora had no more money, it would be easier to sell its shares in the license. This case has now been taken to court by director of Mora, Manfred Csenar. He asks the court to confirm that the contract has to continue. Thanks to a loan given on the background of the money granted, but not yet paid by the government of the province, the quadrilingual radio expects to be able to broadcast until end of September.

### ***Updated (December 2001)***

In December, the Austria's Constitutional Court debated whether federal legislation can limit minority rights by demanding a minimum of 25% minority members in a region when applying the constitutionally

guaranteed rights. The same court last year ruled that a village in the province of Carinthia, with a minority population of only slightly more than 10%, could introduce Slovene as the second official language. Slovene minority members now claim that last year's decision has still not been implemented in the community.

Slovene representatives have announced that they will not anymore accept the lack of implementation. According to Secretary General of the Council of the Carinthian Slovenes, Franc Wedenig, the Slovene language should have been introduced as the second official language in the community of Eberndorf/Dobrla Vas by the end of April this year, following last year's court decision.

Dr Christa Achleitner, the director of the Minority Department at the Federal Chancellors Office, explains that with the current legal situation each public authority has to check whether rules on a minority language as a public language have to be applied. Concerning the case of Eberndorf/Dobrla Vas she says that the question of implementation could only be checked by looking at single cases whether there have been requests of the use of Slovene. The Constitutional Court continues the case on the 25% clause on December 13<sup>th</sup>.

### ***Updated (March 2002)***

#### **SLOVENE IN CARINTHIA**

In Carinthia, the situation of the minority language spoken by 14,600 people (according to the 1991 census) is very ambivalent. Slovene is the second language of the region but it hardly appears in public life. Slovenes rarely speak their language in public, because they do not want to be pointed out as Slovene speakers. There are 2 or 3 Slovene newspapers, but you cannot buy them in the shops - only through subscription, and there are no Slovene signs. An implementation of the Constitutional Court decision from December 2001 still encounters difficulties.

#### **To what extent are minority groups in this country disadvantaged by their language?**

### ***Updated (December 2002)***

#### **CROATIAN**

Croatian language rights in Austria apply only to the Austrian citizens living in six (of seven) districts in the province of Burgenland, but not to those living in Vienna or any other region of Austria. Language rights are administered according to the territorial principles. By moving out of the officially bilingual area a minority speaker loses all his language rights.

Source: Mercator Education, Regional Dossiers, the Croatian Language in Education in Austria

[http://www1.faknaw.nl/mercator/regionale\\_dossiers/regional\\_dossier\\_croatian\\_in\\_austria.htm](http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_croatian_in_austria.htm)

## **The use of language in everyday life e.g. education, broadcasting and other**

### ***Updated (January 2001)***

#### **SLOVENES**

According to news service CGH in Vienna, Austrian province of Carinthia started to implement 1977 legislation about bilingual place name signs. Six German-language signs in the town of Globasnitz have already been changed to bilingual German-Slovene signs, and a commission has been investigating which bodies are responsible for the signs in various parts of the Haider-governed province. However, signs on main roads, which are the responsibility of the province, have not yet been changed. Representatives of the Croatian minority in the province of Burgenland have asked the authorities to follow the example of Carinthia.

### ***Updated (July 2002)***

Recently the governor of Carinthia, Jörg Haider, accused some representatives of the Slovene minority of making "aggressive, disruptive actions and abusing Carinthia." In an interview with the newspaper "Kärntner Woche" Haider also said that he will put a stop to the games of the "radicals" and admitted that he had already taken the first step to switch off Radio Dva.

Radio Dva is a common program of the private radio stations Agora and Radio Dva Ltd. that daily provides 12 hours of Slovene radio programming. This initiative is based on a project called "minority radio in Carinthia" launched in July 2001, in a cooperation among ORF, Radio Dva Ltd., and Agora. By doing this, Radio Dva fulfils the official commitment of the Austrian Broadcaster ORF to provide media for the Austrian minorities. Now the ORF's management says this co-operation will finish by the end of the year because of the tight budgetary situation.

"The ORF argues that they have to save 60 million euro in total this year and it means that they also have to save on the minority programs," says Angelika Hödl, manager from Agora. But the ORF has this official commitment for the minority programs. And if they would do it themselves it would cost much more than if private stations are doing it.

But Haider personally wrote to the head office of ORF that the minority radio broadcasting in Carinthia must stop. The ORF has to stop the program otherwise they will incur a penalty.

Source: <http://www.eurolang.net/>, Eurolang, Brussels, July 4, 2002 by Margret Oberhofer



***Updated (November 2002)***

SLOVENE LANGUAGE RADIO

The Austrian Broadcaster ORF will, commencing 2003, stop financing "*Radio Dva*," a private commercial radio broadcasting in the Slovene language, due to financial reasons.

Radio Dva is a joint program of the private radio stations Agora and Radio Dva Ltd. providing 12 hours of Slovene radio programs daily. This initiative is based on a project called "minority radio in Carinthia" launched in July 2001 in cooperation among ORF, Radio Dva Ltd. and Agora. Thus Radio Dva fulfills the official commitment of the Austrian Broadcaster ORF to provide media for the Austrian minorities.

According to the manager of radio Agora, Angelika Hödl, cooperation with the private radios is very beneficial for ORF, because they produce a large output with few financial means. Broadcasting fifty minutes a day by ORF costs 472,000 Euro a year. On the other hand, private radio stations can produce 24 hours of broadcasting for 872,000 Euro.

The question is also how ORF will fulfill its official commitment to provide consolidated media for the Austrian minorities, as it is stated in the broadcasting law.

Source: Eurolang News, Brussels, October 22, 2002, by Margret Oberhofer, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3892>

**Updated (December 2002)**

CROATIAN

<b>TYPE OF EDUCATION</b>	<b>Number of schools</b>	<b>Enrolment figures</b>
Kindergarten	<b>27</b>	<b>600</b>
Bilingual primary schools	<b>29</b>	<b>1,464</b>
General secondary schools (Haupschule)	<b>11</b>	<b>316</b>
General higher secondary schools (AHS)	<b>5</b>	<b>335</b>
Vocational middle and higher secondary schools (BMS) (BHS)	-	<b>70</b>
Vocational education	-	-

Table: Figures of schools and students enrolled in Croatian education (1999 or 2000)

*PRE-SCHOOL EDUCATION*

Since pre-school education in Austria is optional, it is not a part of the national education system and it is regulated by provincial laws. Most public nursery schools are run by municipalities, some by the provincial or federal administration. In contrast to all public educational institutions attended after the age of six, pre-school education is not free of charge and has to be paid for by parents.

Many private nursery schools in Austria are run by church congregations, by minority organizations, parents' associations, or even by private companies. Before 1989, there were no legal provisions for the teaching of Croatian at a nursery school level and thus the use of the minority language depended entirely on the initiative of nursery school teachers.

In 1989, the amendment to *the Kindergarten Law for Burgenland* (the Burgenländisches Kindergartengesetz) introduced bilingual pre-school education in German and Croatian in 25 municipalities in 6 districts. In all other municipalities of Burgenland education in Croatian has to be provided for six hours a week if 25 percent of the parents request it. In this case the municipality has to employ a bilingual pre-school teacher or, if this is not

possible, the province provides an assistant with the Croatian language skills.

In the year 2000, about 600 children attended 27 bilingual nursery schools in Burgenland. There are no private Croatian pre-schools in Burgenland and only one in Vienna, which is run by the Croatian minority organization for approximately 20 children.

In 25 bilingual pre-schools of Burgenland Croatian is recognized as the second Kindergarten-sprache (pre-school language) besides German. Unfortunately, the law does not specify any language standards or the extent of Croatian language instructions so the schools vary greatly. Some are effectively bilingual, in some only a few Croatian songs are sung; it basically depends on the initiative and competence of a pre-school teacher.

In several cases municipalities have neglected to check the qualifications of bilingual pre-school teachers, so that in 1997, the municipal government had to bring a specific resolution requiring municipalities to enforce bilingual training requirements for the position of a pre-school teacher.

#### PRIMARY EDUCATION

Primary education in Croatian is guaranteed by *the Austrian State Treaty of 1955* and regulated by *the Provincial Minority School Law* (Minderheitenschulgesetz für das Burgenland) of 1994, which classifies 29 local primary schools as bilingual (German-Croatian). Eight of these are so called bilingual primary schools (Croatian is used as the second language alongside German in the teaching of all subjects) and 21 are primary schools with Croatian language tuition (Croatian is taught as a second language for three hours a week). There is no primary school with Croatian as the key medium of instruction in Burgenland.

The number of pupils in bilingual German-Croatian primary schools has steadily risen during the 1990s from 1,324 in 1992 to 1,404 in 1999.

In four German monolingual schools around 60 children attend Croatian classes as an optional subject. In 1999, only 342 out of 1,404 pupils in bilingual German-Croatian primary schools reported to have Croatian as their mother tongue, whilst the vast majority of pupils (751) gave German as their mother tongue.

	Schools	Pupils
Bilingual primary schools	29	1,404
Croatian as an optional subject	4	60
Total	33	1,464

Table: Figures of schools and pupils receiving Croatian primary education in Burgenland 1999

## SECONDARY EDUCATION

Bilingual education at secondary level is not compulsory as in bilingual primary schools; instead pupils have to specifically register for it. In 1999, there was only one general secondary school in Burgenland offering bilingual education in German and Croatian for all subjects. There was also a general secondary school, which offered Croatian as an optional core subject and bilingual German and Croatian tuition for several other subjects. In these two schools 141 pupils were registered.

Apart from that 102 pupils in nine other general secondary schools had registered for Croatian as an optional subject. This means that in 1999, only 243 pupils continued their Croatian education in the Hauptschule, the most common form of secondary education in rural areas of Austria. In the year 2000, the number of pupils registered for bilingual German-Croatian courses dropped to 233, but additional 83 students chose Croatian as an optional subject in monolingual German schools, so the overall number of pupils studying Croatian rose to 316.

	Schools	Pupils 1999	Pupils 2000
Bilingual school	<b>2</b>	<b>141</b>	<b>233</b>
Croatian as an optional subject	<b>9</b>	<b>102</b>	<b>83</b>
Total	<b>11</b>	<b>243</b>	<b>316</b>

Table: Croatian in general secondary schools (Hauptschule) in Burgenland

The maximum number of pupils per a class in bilingual general secondary schools (Hauptschulen) in Burgenland is twenty as compared to thirty in monolingual schools.

For the majority of subjects, apart from straightforward language training, books in Croatian are not available, so German books are used instead. The teachers have to prepare their own materials or use textbooks from the Republic of Croatia. But since the Croatian language spoken in Croatia differs significantly from the variant spoken in Burgenland, and the curricula of the two countries are not at all compatible, this option has limited usefulness.

## *HIGHER EDUCATION*

At all of 17 Austrian Universities, technical and art colleges, as well as at the recently established vocational post secondary high schools the language of instruction is German. Croatian as a subject can be studied at two departments for the Slavic languages, at several departments for translation studies. Two university departments also offer teacher-training courses for general secondary higher schools (AHS) in Croatian.

Source: Mercator Education, Regional Dossiers, the Croatian Language in Education in Austria

[http://www1.faknaw.nl/mercator/regionale\\_dossiers/regional\\_dossier\\_croatian\\_in\\_austria.htm](http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_croatian_in_austria.htm)

## *SLOVENIAN*

### *PRE-SCHOOL EDUCATION*

In Carinthia there are five municipal kindergartens with bilingual sections; in two more municipalities the decision to create bilingual groups has been taken, but the groups have not been opened yet. However, the first kindergartens offering bilingual or Slovenian groups were private ones. There are two established by Slovenian organizations in Klagenfurt, and three more in different villages in the bilingual area. These kindergartens are subsidized from the federal sources out of the special budget for minorities.

As the capacity of these kindergartens is insufficient, groups of parents and educators have founded autonomous groups.

The children's language background is very heterogeneous: some speak the Slovenian dialects or the language close to the Slovenian standard at home, others do not speak Slovenian at all. Generally, at the age of three, when children start pre-school education, they are to certain degree acquainted with the German language through the media and German-speaking surroundings.

### *PRIMARY EDUCATION*

As bilingual education is organized on a territorial principle, it is up to the parents to decide, no matter what their own language background is, whether they want bilingual education within the public system for their children. In the last years the number of German speaking pupils in bilingual schools has increased.

In 1988, after a long discussion, an amendment to the Education Act was passed (Minderheitenschulgesetz-Novelle). This amendment provides for separate bilingual and monolingual classes and maintains an access to

bilingual education for German-speaking children if their parents register them. If the number of pupils is too low to run a separate class, a mixed class is to be established. A second teacher comes into the class for 10 to 14 hours.

The curriculum also allows another form of Slovenian language teaching in primary schools. In monolingual German classes Slovenian can be taught as an additional practical subject (for two hours a week) without assessment.

In bilingual schools Slovenian is a part of the core curriculum. In the first three years of instruction both German and Slovenian language should be used to the same extent in all subjects. In practice; however, there are great differences in the amount of Slovenian instruction provided. Its status chiefly depends on the pupils' command of the minority language when they begin school, on the commitment of bilingual teachers and on the involvement of parents in bilingual classes.

In the fourth year of primary education German becomes the only medium of instruction and Slovenian is taught only as a subject. Experimental classes in the fourth year of a primary school have been run in recent years, in which both Slovenian and German are used as a medium of instruction.

In 81 public primary schools in the bilingual area and in 2 primary schools (one public and one private) in Klagenfurt, bilingual education is possible (1996/97).

Until the beginning of the nineties, textbooks in Slovenian were only available for Slovenian literacy training. These textbooks were suitable for a homogenous language background but reality in the classrooms was much more heterogeneous. To cope with these lacunae, bilingual teachers took the initiative and developed new textbooks and teaching materials. These books are printed by the Slovenian publishing houses in Carinthia. Although currently there are textbooks for primary education (all subjects and all levels), the situation is still not satisfactory.

### *SECONDARY EDUCATION*

Although the Austrian school laws grant the possibility to establish schools where Slovenian is used as a medium of instruction, so far there are no such schools and Slovenian is only taught as a subject.

There are three different ways to register for Slovenian lessons:

- To demand lessons in the Slovenian language under the Minority School Law
- To choose Slovenian as a foreign language (alternatively to English)
- To take Slovenian as an optional additional subject

Because the number of pupils interested in Slovenian and enrolled in general secondary schools is relatively low, in most schools the necessary number for differentiation is not reached and pupils are taught in one single group. The pupils' language background in these classes is very heterogeneous and thus teaching is very demanding. Outside the area, to which minority school education applies, Slovenian is only taught as an optional subject in special language lessons.

Only 5.3 percent of the pupils (i.e. 298 pupils) in the bilingual area attend Slovenian language classes at general secondary level. Compared with the number of pupils registered for bilingual classes in primary schools (25 percent) there is an alarming decrease.

At the lower level of academic secondary schools there is only one school (in Klagenfurt), where Slovenian is used as a medium of instruction. It is the Bundesgymnasium für Slowenen (Zvezna gimnazija za Slovence) founded in 1957.

For most subjects schoolbooks in Slovenian are not available, so German books are used instead.

As all schoolbooks in Austria are state subsidized, authorities argue that those for the different levels of secondary education in Slovenian would be too expensive due to their small circulation.

Source: Mercator Education, Regional Dossiers, the Slovenian Language in Education in Austria (Carinthia),  
[http://www1.faknaw.nl/mercator/regionale\\_dossiers/regional\\_dossier\\_slovenian\\_in\\_austria.htm](http://www1.faknaw.nl/mercator/regionale_dossiers/regional_dossier_slovenian_in_austria.htm)

### ***Updated (April 2003)***

#### **AUSTRIAN BROADCASTING COOPERATION "ORF" AGREES TO SET UP MINORITY RADIO CHANNELS**

The supervisory board of the Austrian Broadcasting Cooperation ORF has made the long awaited recommendation to the ORF management to set up two separate radio channels for minorities in Austria. One of the channels will be reserved for the Slovene minority in Carinthia and the other one for the Hungarian, Croatian and Roma minority in the neighboring Region of Burgenland.

Private Slovene radio stations in Carinthia, Radio Dva and Radio Agora, have come with a solution how to gain an additional frequency that ORF would need to establish a new minority channel. In the past the possibility of an ORF takeover of the frequency currently used by Radio Dva and Radio Agora was discussed. At present one of the envisaged solutions is that ORF rents the frequency from the two private radio stations.

Another goal of the negotiations with ORF should be to secure financial future of Radio Agora and to allow broadcasting of its own bilingual or multilingual non-commercial programs.

Source: Eurolang News, Vienna, March 28, 2003, by Margret Oberhofer, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4175>

### **Updated (May 2003)**

*Updated (May 2003)*

## THE NEWSPAPERS/MEDIA FOR MINORITIES

### ❖ Croatian

The weeklies "*Hrvatske Novine*" and "*Glasnik*" published in Burgenland-Croatian receive financial aid under the government's support scheme for ethnic groups and from the general press subsidy granted pursuant to the 1985 Press Promotion Act. The periodical publication "*Put*" was granted financial assistance in the framework of the support scheme for journalism.

### ❖ Slovene

The Carinthia weeklies "*Nas tednik*," "*Slovenski Vestnik*" and "*Nedelja*" published in Slovene receive financial aid under the government's support scheme for ethnic groups and from the general press subsidy granted pursuant to the 1985 Press Promotion Act. The periodical publication "*Punt*" receives financial assistance in the framework of the support scheme for journalism.

### ❖ Hungarian

The regional broadcasting station for Burgenland broadcasts Hungarian radio programs daily from 6:55pm to 7:00pm. Moreover, a Hungarian program is broadcast on Sundays from 6:30pm to 8:00pm and a program focusing on ethnic group issues is broadcast on Mondays from 8:50pm to 9:00pm.

TV programs in the Hungarian language are broadcast by the ORF regional broadcasting station for Burgenland on six Sundays per year; furthermore, a joint program of the ethnic groups is broadcast on four Sundays a year.

Source: Council of Europe, Initial Periodical Report by Austria presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, January 23, 2003, [http://www.coe.int/t/e/legal%5faffairs/local%5fand%5freional%5fdemocracy/regional%5for%5fminority%5flanguages/documentation/1%5fperiodical%5freports/2003\\_5e\\_MIN-LANG%20PR\\_Austria.asp](http://www.coe.int/t/e/legal%5faffairs/local%5fand%5freional%5fdemocracy/regional%5for%5fminority%5flanguages/documentation/1%5fperiodical%5freports/2003_5e_MIN-LANG%20PR_Austria.asp)



**Did the country ratify any international treaty dealing with the protection of minorities?**

***Updated (January 2001)***

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

In May 2001, the Austrian Parliament unanimously approved the ratification of the European Charter for regional or Minority Languages. The provisions guarantee protection and prohibit discrimination the Slovene minority in Carinthia as well as Croatian and Hungarian minorities in Burgenland. The document also grants specific rights to the Viennese Czechs and Slovaks as well as the Roma in Burgenland. Requests by the opposition Socialists (SPÖ) and the Green party to extend protection for the Roma and to the Croatian minority in Vienna were rejected even though there are between 10,000-15,000 Croats living in Vienna, which is nearly one quarter of the Croatian population in Austria.

**What else can be found about languages and minorities?**

***Updated (January 2001)***

SLOVENE MINORITY IN STYRIA:

For the first time after 46 years, the Styrian Slovene organization "Article 7" received public funding from the province of Styria. The name of the organization, Article 7, refers to the article in the constitution of 1955, which guarantees protection to the Slovene minority without mentioning provinces.

***Updated (July 2001)***

The Austrian province of Carinthia has decided to financially support private bilingual kindergartens. The decision was made unanimously in the Parliament following negotiations between the three major parties and minority representatives. According to public broadcaster ORF, the government of the province will appoint a leading group, who will administrate the money as well as monitor and control the educational work in the kindergartens.

The three major parties in the parliament, the Freedom Party, the Social democrats as well as the conservative Peoples Party were content about the "common decision".

***Updated (November 2002)***

AUSTRIAN CENSUS 2001

On October 17, 2002, the national statistics institute in Austria published the complete data on ethnic minorities collected in the 2001 Census. The

institute stressed the fact that the census did not count the size of the ethnic minorities but the number of persons who speak the language of the ethnic minority, also in combination with other languages. According to the results, fewer people in the regions of Carinthia and Burgenland consider Slovene, Burgenland-Croatian and Hungarian as their colloquial language.

In Carinthia, a home of the Slovene minority, 12,554 people ticked Slovene as their colloquial language. This was about 1,408 people less than in the 1991 census. Furthermore, another distinction was made by introducing a historically burdened option "Windisch" into the census (chosen by 555 people).

This division was heavily criticized by the Austrian Centre for Ethnic Minorities (Österreichisches Volksgruppenzentrum) stating that considerable effort had been made to reduce the number of minority language speakers. The reintroduction of the option "Windisch" next to "Slovene" and the division of "Burgenland-Croatian" and "Croatian" is an example.

Franjo Schruiff from the Burgenland Croatian Centre in Vienna considers this division to be nonsensical, because it is of no help to analyze dialects separately.

While fewer people use the minority language in the Burgenland region, numbers have increased in the Austrian capital. This is mainly a result of migration of residents from Burgenland to Vienna. Another reason is the naturalization of former Hungarian and Czech citizens.

However, migration of Croatian-speakers from Burgenland to Vienna remains a problem because minority protection does not move with the people, explained Mr. Schruiff. He referred to the fact that there is a strict territorial interpretation when talking about the protection of certain minorities. For the Burgenland-Croatians this protection is only guaranteed in the region of Burgenland, but not in the capital.

While the statistics estimate the number of Burgenland-Croatian speakers in Vienna at 2,456; the Burgenland-Croatian Culture Association assumes that the capital has more than 12 to 15,000 people who speak Croatian.

The biggest ethnic minority in the Austrian capital are the Hungarian-speakers (15,435), followed by the Czech-speakers (7,769), the Slovak-speakers (4,741), Slovene-speakers (2,396) and Romanès-speakers (1,806).

For the Austrian Centre for Ethnic Minorities the results of the census show alarming tendencies among minority speakers to assimilate, especially in the countryside. "More than ever there is a need for politics to take concrete and quick steps towards the effective protection of ethnic minorities," says Marjan Pipp, the President of the Centre. This should affect especially the

media provision, the language teaching, visibility of bilingualism and the economic support for rural areas where ethnic minorities live.

Source: Eurolang News, Brussels, October 18, 2002, by Margret Oberhofer, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3885>

#### SLOVENE IN STYRIA ON THE RISE

While according to the 2001 census fewer people in Carinthia consider Slovene to be their colloquial language, in the neighboring region of Styria the use of Slovene has increased. The results show that 2,192 inhabitants of Styria use Slovene as their colloquial language. "In fact the numbers of speakers are twice or three times higher," estimates Michael Petrowitsch, the director of the Styrian cultural organization "*Article VII*."

While it is generally known that Slovene is spoken in Carinthia, the situation of this minority in Styria is seldom discussed. Recent attempts, launched by the Green party in Styria, to receive official recognition as a minority failed.

Currently Slovene is taught on a voluntary basis in Styria. "Last school year we had between 200 and 300 students, which is a lot if you consider that classes took place in the late afternoon and competed with all the other subjects," explains Petrowitsch.

Even though this minority is recognized explicitly in the Article 7 of the Austrian Treaty (1955), it does not receive the same attention as other Austrian minorities. One of the main concerns for the Styrians is that they are not represented in the advisory board for ethnic minorities. Currently a Carinthian Slovene speaks for the neighboring minority within this body, which advises the Austrian government on minority issues.

Source: Eurolang News, Brussels, October 30, 2002, by Margret Oberhofer, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3907>

## APPENDIX A

### MAP OF AUSTRIA



## **APPENDIX B**

### **AUSTRIA - CONSTITUTION**

(Adopted in 1929)

(Document Status on July 1, 1983)

#### **Article 8**

Without prejudice to the rights provided by federal law for linguistic minorities, German is the official language of the Republic.

#### **Article 14**

(6) Public schools are those schools, which are established and maintained by authorities so required by law. The Federation is the authority so required by law in so far as legislation and execution in matters of the establishment, maintenance, and dissolution of public schools are the business of the Federation. The State or, according to the statutory provisions, the County, or a County Association is the authority so required by law in so far as legislation or implementing legislation and execution in matters of establishment, maintenance and dissolution of public schools are the business of the State. Admission to public school is open to all without distinction of birth, sex race, status, class, language and religion, and in other respects within the limits of the statutory requirements. The same applies analogously to kindergartens, centers, and student hostels.

Note: The complete text of the Constitution and further information on the constitutional background of Austria are provided by the International Constitutional Law Project at the University of Wuerzburg.

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