

S L O V E N I A

SECTION A

Capital

Ljubljana 269,972 (1995 est.)

Area

20,256 sq km (7,820 sq mi)

Form of government

Parliamentary Democratic Republic

GDP—per capita

Purchasing power parity—\$10,900 (1999 est.)

Population

1,970,570 (July 1999 est.)

Ethnic composition

Slovene	91%
Croat	3%
Serb	2%
Muslim	1%
Other	3%

(Yugoslavs, Macedonians, Montenegrins, Albanians, Italians, Hungarians, Greeks, Slovaks, Czechs, Bulgarians, Russians, Russinians, Austrians, Romanians, Polish, Germans, Roma, Jews, Vlachs, Ukrainians, Turks)

Official language

Slovenian

In communities with Italian or Hungarian populations, Italian or Hungarian shall also be the official language (Article 11 of the Constitution).

Minority languages

Croatian, Serbian, Bosnian, Italian, Hungarian, others

Legislation dealing with the use of languages

Primarily, the *Constitution of the Republic of Slovenia*, adopted on December 23, 1991, effective on December 23, 1991, is designed in positive spirit towards the all-ethnic communities (Articles 5, 11, 61, 62 dealing with use of language and protection of minorities).

Special interest is expressed towards Italian and Hungarian communities (Article 5, 64) and the Roma community (Article 65).

The protection of minorities is largely tied to the term “ethnically mixed area” (EMA), which comprises the territory of the settlements in the individual municipality where members of the native Italian and Hungarian ethnic communities live.

The Statute of the Municipality Izola (official Bulletin, 8/1995), Article 12, §4 on using Italian outside the bilingual area)

BILINGUAL SIGNS

In any ethnically mixed area, the provisions on visible bilingualism are practiced without any minority population limit. Stipulations on visible bilingualism can be found in the National Legislation (Regulations on Determining the Names of Settlements and Streets and the Marking of Settlements, Streets and Buildings (Official Gazette of the Socialist Republic of Slovenia, No. 11/80)) as well as in the municipal regulations (Status of the Municipalities). Furthermore, members of ethnic communities actively participate in the process of bilingual naming of settlements and streets (Law on the Naming and Registering of Settlements, Streets and Buildings (Official Gazette of the Socialist Republic of Slovenia, No. 8/80))

USE OF ETHNIC MINORITIES IN STATE ADMINISTRATION

The Law on personal names (Official Gazette of the Republic of Slovenia, No. 2/87) allows the use of personal names and surnames in their original form.

The Law on Administration (Official Gazette of the Socialist Republic of Slovenia, No. 64/94) allows the use of Hungarian and Italian along with Slovenian in Government administration.

The Law on Employees in State bodies (Official Gazette of the Republic of Slovenia, No. 15/90) stipulates that at higher levels of administration an active knowledge of Slovenian and either Hungarian or Italian is a condition for taking up employment and that knowledge of the language of ethnic communities entitles one to additional financial remuneration.

In accordance with the *Standing Orders of the National Assembly* the two deputies of the ethnic minorities have the right use their language in oral and written form. These deputies' debates shall be translated to Slovenian.

BILINGUAL DOCUMENTS

Law on the Register of Births, Deaths and Marriages

Law on Personal Identification Cards

Law on Passports for Citizens of the Republic of Slovenia

In addition to personal identity cards and passports (which are trilingual; in Slovenian, English, and in Italian or Hungarian) the following documents are bilingual: driving licenses, vehicle registration documents, medical insurance booklets and army service booklets.

BILINGUAL OPERATION IN THE JUDICIARY

Law on Courts (Official Gazette of the Republic of Slovenia, No. 19/94)

Law on Notaries (Official Gazette of the Republic of Slovenia, No. 13/94, 48/94)

Law on the Office of Public Prosecutor (Official Gazette of the Republic of Slovenia, No. 63/94)

According to the Rules of Court (Official Gazette of the Republic of Slovenia, No. 17/95) the court proceedings must be conducted bilingually if one of the parties uses the Hungarian or Italian language. Qualification for conducting bilingual proceedings is remunerated with a special bonus.

BILINGUAL TRANSACTIONS IN MUNICIPAL ADMINISTRATION

Law on the Financing of Municipalities (Official Gazette of the Republic of Slovenia, No. 80/94, 56/98) stipulates and guarantees funds from the

state budget to finance the requirements of bilingualism and to implement the constitutional rights of the Italian and Hungarian communities.

EDUCATION

Law on Kindergartens (Official Gazette of the Republic of Slovenia, No. 12/96)

Law on Primary Schools (Official Gazette of the Republic of Slovenia, No. 12/96)

Law on Grammar Schools (Official Gazette of the Republic of Slovenia, No. 12/96)

Law on Vocational and Professional Training (Official Gazette of the Republic of Slovenia, No. 12/96)

Law on the Implementation of Special Rights of Members of the Italian and Hungarian Ethnic Minorities in the Field of Education (Official Gazette of the Republic of Slovenia, No. 12/82)

For schools and kindergartens in EMA conducted in the Slovenian language, Italian or Hungarian shall be a compulsory subject. The same holds for any educational institution conducted in the language of a minority.

MASS MEDIA

Law on Mass Media (Official Gazette of the Republic of Slovenia, No. 18/94)

Allows the creation and dissemination of information about minorities in their own languages. This includes the presentation of ethnic community issues in the majority language media, the free reception of information from the home country of the minority and the free transmission of information to that country.

Background notes

Independence achieved on June 25, 1991 from Yugoslavia.

SECTION B

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

The Slovenian State does not yet have a document that would provide “global solutions” to issues of newly formed ethnic communities. Primarily members of the nations of former Yugoslavia--ethnic Serbs, Croats, Kosovar Albanians, and non-native Roma from Kosovo and Albania comprise these groups. This does not mean that the subject is treated as being of marginal interest. In 1998, the Ministry of Culture allocated 5,600,000 SIT for the cultural programs of newly formed ethnic communities. Many of these 5,000 to 10,000 non-Slovene citizens of the former Yugoslavia migrated internally to Slovenia during the decades leading up to independence because of the economic opportunities. Most opted not to take up Slovene citizenship during a six-month window in 1991-92 and have been living in the country as essentially stateless persons since then, while others were without residence status because of slow processing of their applications by the Government. In August 1999 Parliament passed legislation that addressed the problem of these persons by offering them permanent resident status; a six-week window for applications closed at year's end.

In the field of education Roma children receive special care but on the other side too little has been done to remove language barriers, to introduce the Roma language into schools and to nurture Roma cultural traditions.

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

The special protection of minorities in the EMA (ethnically mixed areas) is presented as special rights of the minorities which are listed below:

USE OF MINORITY LANGUAGES

Bilingual signs, use in State administration, bilingual documents, bilingual judiciary, bilingual transactions in municipal administration, the use of languages in church.

RIGHT TO EDUCATION

Italian and Hungarian is used as the subject of instruction in kindergartens, primary and secondary schools. To continue education in their own language at higher-level, members of a minority group can enroll at Universities in Italy and Hungary, according to bilateral

agreements between Slovenia and Italy and Hungary. They may also study Italian and Hungarian language and literature at University in Ljubljana and the University of Maribor.

RIGHT TO CULTURAL DEVELOPMENT

“The Institute for the Culture of the Hungarian Ethnic Minority” and 22 similar Cultural Associations for the Hungarian minority have been established. Two important Institutions have their headquarters in Croatia: the Center for Historical Research in Rovinj and Italian Drama in Rijeka.

RIGHT TO INFORMATION

TV programs, radio, magazines, newspapers are presented in the Italian and Hungarian languages.

RIGHT TO FREE CONTACTS

Minorities have the right to establish and maintain contact with members of their group within the state as well as across borders.

RIGHT TO ECONOMIC DEVELOPMENT

Members of indigenous ethnic communities have the right to apply for funds for the creation of an economic foundation. Resources are distributed proportionally between the two ethnic communities and are channeled into the development of farms and auxiliary activities, cooperative organizations and small businesses. Funds are likewise available for investments in other production or service facilities and equipment in the economy.

RIGHT TO USE OF NATIONAL SYMBOLS

Members of ethnic communities can fly their flag and play their national anthem.

PARTICIPATION IN DECISION-MAKING

Members of the ethnic communities have their own deputies in the National Assembly and representatives in municipal councils and they enjoy a dual voting right.

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

As a member of the UN (1992) Slovenia has ratified the following:

Convention on the Prohibition and Punishment of Genocide

International Agreement on Economic, Social and Cultural Rights

Convention on the Elimination of all Aspects of Racial Discrimination

UNESCO - Convention against Discrimination in Education.

Slovenia is also obliged to respect “the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Language Minorities” and other commitments accepted within OSCE (Organization for Security and Cooperation in Europe). As a member of CEI (Central European Initiative) Slovenia adopted the “Instrument for the Protection of Ethnic Minorities “. (1994 in Torino)

As a member of the Council of Europe, Slovenia ratified the European Convention for the Protection on National Minorities on March 25, 1998, and enacted it on July 1, 1998.

European Charter for Regional or Minority Languages signed on July 3, 1997.

Slovenia’s international legal obligations to protect minorities are established by bilateral agreements such as the “Osimo treaty” between Slovenia and Italy and the “Agreement between the Republic of Slovenia and the Republic of Hungary.”

SECTION C

Legislation dealing with the use of languages

Updated (June 2002)

ROMA

Slovenia has ratified the Framework Convention for the Protection of National Minorities in 1998. However, it recognized only the Italian and Hungarian minority, which could enjoy the rights set forth in the Convention, and all other minorities living in Slovenia were excluded.

Though guaranteed that “in accordance with the Constitution and internal legislation of the Republic of Slovenia, the provisions of the Framework Convention shall apply also to the members of the Roma community,” the Slovene State Report explains that due to the specific situation of the Romany community the same criteria of minority

protection as are applied to the other two autochthonous ethnic communities cannot be applied to the Romany community.

The 1991 Constitution also reflects this legal differentiation between the Hungarian and Italian minorities and all other minorities living in Slovenia, including the Roma.

Special rights guaranteed to Italians and Hungarians without regard for the numerical strength of these communities, include, inter alia:

- Recognition of Italian and Hungarian as official languages in those areas where Italian or Hungarian communities reside (Article 11)
- The right to use national symbols, establish organizations, foster economic, cultural, scientific and research activities, as well as activities associated with the mass media and publishing (Article 64)
- The right to education in the minority language and/or bilingual education (as determined by statute) as well as the right to plan their own curricula (in areas determined by the state), with financial support and encouragement from the state (Article 64)
- The right to direct representation at the local level and in the National Assembly (Article 64)
- Veto power with regard to “statutes, regulations and other legislative enactments which exclusively affect the exercise of specific rights enjoyed by the Italian or Hungarian ethnic Communities under this Constitution, or affecting the status of these communities” (Article 64)

The rights of the Roma minority are also addressed in the Constitution, which stipulates that “the status and special rights of the Romany community living in Slovenia shall be such as are determined by statute” (Article 65). However, no such statute has been formulated in the period since the Constitution was adopted in 1991.

In practice, there is little opportunity to use Romani languages in dealings with state bodies, although the language is widely spoken among Slovenian Roma. The Constitution further provides that “any person deprived of his liberty must be immediately informed in his mother tongue, or in a language which he/she understands, of the reasons for his/her arrest” (Article 19). In the case of Roma, Slovenian is the language they are presumed to understand.

Concerning education, an elaborate legal and institutional framework allows for schools with Italian as the first language of instructions in Italian-speaking areas, and bilingual Hungarian-Slovene schools in Hungarian-speaking areas. Both models apply in areas where these groups live in significant numbers. By contrast, there is no legal provision for Romani language education. It is claimed that the lack of a standard written form and the use of different dialects in Slovenia pose an obstacle to the adoption of legal regulations.

Nevertheless, there are initiatives by the Alliance of Roma of Slovenia to provide the Romani language lessons in schools in every region where Roma live. In Prekmurje, Saturday lectures were organized in Romani languages.

Existing provisions for the teaching of minority culture and history to the Hungarian and Italian minorities are not available to Roma or other ethnic minorities. In fact, Roma appear sporadically in Slovene textbooks when one analysis found only three mentions of Roma in all books used in Slovene classes.

The same applies to the media. In the absence of legislation, the Governmental Office for Nationalities and the Ministry for Culture supports a Slovene-Romani newspaper ("Romano Them") and a weekly hour-long Romani language show, "Romani 60," on the local station in Murska Sobota (East Slovenia).

Source:

http://www.eumap.org/reports/content/10/705/minority_slovenia.pdf
The EU Accession Monitoring Program Report on Minority Protection,
Open Society Institute 2001 on
<http://www.eumap.org/reports/content/10>

Updated (April 2003)

"NO" TO BILINGUALISM ON REQUEST

According to the law proposed by the Slovenian government at the beginning of March, the registers of birth, marriage and death in the Hungarian and Italian speaking areas should be issued bilingually only when people ask for it. However, the legislation currently in force states that all people living in the bilingual areas (the Adriatic coast near the Italian border and Hungarian speakers of Prekmurje) receive bilingual certificates. In addition, Article 11 of the Slovene Constitution guarantees that Italian and Hungarian are also locally co-official languages.

After the negotiations with minority representatives this danger of bilingual forms being only available on request has been avoided when

both minority amendments have been approved in order to preserve the current legal status. It means that the principle of an active offer maintains.

Source: Eurolang News, Turin, March 17, 2003, by Marco Stolfo, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4144>

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

Updated (January 2001)

The European Charter of Regional and Minority Languages came into force in Slovenia in January 1, 2001.

The fact that there were no specific measures for Roma minority has been justified by means of the application *mutatis mutandis* of Article 7, which is a declaration of principles and intentions.

APPENDIX A

MAP OF SLOVENIA



APPENDIX B

SLOVENIA - CONSTITUTION

(Adopted on December 23, 1991)

(Document Status on December 23, 1991)

Article 5 (State Objectives)

(1) Within its own territory, Slovenia shall protect human rights and fundamental freedoms. It shall uphold and guarantee the right of the autochthonous Italian and Hungarian ethnic communities. It shall attend to the welfare of the Slovenian minorities in neighboring countries and of Slovenian emigrants and migrant workers abroad and shall promote their contacts with their homeland. It shall assist the preservation of the natural and cultural heritage of Slovenia in harmony with the creation of opportunities for the development of civilized society and cultural life in Slovenia.

(2) Slovenians not holding Slovenian citizenship shall enjoy special rights and privileges in Slovenia. The nature and extent of those rights and privileges shall be determined by statute.

Article 11 (Language)

The Slovene language shall be the official language in Slovenia. In communities with Italian or Hungarian populations, the Italian or Hungarian language shall also be the official language.

Article 14 (Equality before the Law)

(1) In Slovenia each individual shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political or other beliefs, financial status, birth, education, social status or whatever other personal circumstance.

(2) All persons shall be equal before the law.

Article 61 (Profession of National Allegiance)

Each person shall be entitled freely to identify with his national grouping or autochthonous ethnic community, to foster and give expression to his culture and to use his own language and script.

Article 62 (Use of Language and Script)

In order to give effect to his rights and obligations, and in all dealings with State bodies and other bodies having official functions, each person shall have the right to use his own language and script in such a manner as shall be determined by statute

Article 64 (Special Rights of the Italian and Hungarian Ethnic Communities in Slovenia)

(1) The autochthonous Italian and Hungarian ethnic communities and their members shall be guaranteed the right to freely use their national symbols and, in order to preserve their national identity, the right to establish organizations, to foster economic, cultural, scientific and research activities, as well as activities associated with the mass media and publishing. Those two ethnic communities and their members shall have, consistent with statute, the right to education and schooling in their own languages, as well as the right to plan and develop their own curricular. The State shall determine by statute those geographical areas in which bilingual education shall be compulsory. The Italian and Hungarian ethnic communities and their members shall enjoy the right to foster contacts with the wider Italian and Hungarian communities living outside Slovenia, and with Italy and Hungary respectively. Slovenia shall give financial support and encouragement to the implementation of these rights.

(2) In those areas where the Italian and Hungarian ethnic communities live, their members shall be entitled to establish autonomous organizations in order to give effect to their rights. At the request of the Italian and Hungarian ethnic communities, the State may authorize their respective autonomous organizations to carry out specific functions that are presently within the jurisdiction of the State, and the State shall ensure the provision of the Means for those functions to be effected.

(3) The Italian and Hungarian ethnic communities shall be directly represented at the local level and shall also be represented in the National Assembly.

(4) The status of the Italian and the Hungarian ethnic communities, and the manner, in which their rights may be exercised in those areas where the two ethnic communities live, shall be determined by statute. In addition, the obligations of the local self-governing communities that represent the two ethnic communities to promote the exercise of their rights, together with the rights of the members of the two ethnic communities living outside their autonomous areas, shall be determined by statute. The rights of both ethnic communities and of their members

shall be guaranteed without regard for the numerical strength of either community.

(5) Statutes, regulations and other legislative enactments which exclusively affect the exercise of specific rights enjoyed by the Italian or Hungarian ethnic communities under this Constitution, or affecting the status of these communities, may not be enacted without the consent of the representatives of the ethnic community or communities affected.

Article 65 (Status and Special Rights of Gypsy Communities in Slovenia)

The status and special rights of Gypsy communities living in Slovenia shall be such as are determined by statute.

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

DECREE ON THE IMPLEMENTATION OF BILINGUALISM IN THE NATIONALLY MIXED TERRITORY OF THE MUNICIPALITY OF ISOLA

Article 1

Introductory provisions

Pursuant to the dispositions of the Statute of the Municipality of Isola (Official Bulletin n. 15/99; the Statute, from now on), the present decree regulates the implementation of bilingualism in public life and in the rapports with the public, and defines the sanctions to be applied in case of infringement of the material dispositions of the present decree.

The nationally mixed territory, defined in accordance with the Statute comprises the city of Isola (CL Città Vecchia, CL Haliaetum, CL Livade) and the towns of Jagodge and Dobrava.

Article 2

Concept of bilingual writing

Bilingual writings shall be considered those which are written in both Slovene and Italian languages, with letters of equal shape and type, as well as those documents having a diverse graphic type though occupying the same space in both languages, or in a way in which the text written

in any of the two languages is not subordinated to the text in the other language.

Whoever ordering the placing or the publication of a writing which must be bilingual according to the present decree, must provide the correct translation, either in a linguistic aspect as in relation to its contents, from the Italian text to the Slovene one, or viceversa.

Article 3

Definition of the other terms present in the decree

In relation to the present decree, it is stated that:

4. A writing, publication, or a notice, shall be bilingual or written in the Slovene and Italian languages, whenever the text, written in both languages, appears in the same communication with the Slovene and Italian versions combined, or when one precedes the other, as long as the versions in any of the two languages is simultaneously present in accordance with article 2.

Article 4

Translation of company names

The names of companies operating in the economic sector shall not have any translations of their initials or of the personal names included in them.

In those cases in which the name of the company is shown in public, the translation of the company's activity and the translation of the type of company (S.p.A, S.r.l.) or of the autonomous enterpriser (i.a.)

The dispositions of the present article shall also apply to entities, associations, either economic ones or not, which are registered for the exercise of a given activity.

Article 5

Definition of the concept of public writing

Public writings are those defined as such in the present decree on the basis of their content, the subjects involved, and in accordance with other factors.

The public writings must be bilingual

Article 8

Bilingualism in public manifestations

The use of both languages is compulsory in:

- the course of those celebrations organized on the occasion of important festivities or anniversaries,
- during the meetings of a number of people gathered in a certain place in order to discuss on a subject or an idea,
- in the course of public mass manifestations, conceived as an organized and solemn expression of the state of mind in relation to any matter of public interest, and when the summoning for such meetings extends to an unspecified number of participants in advance.

The use of both languages consists in the obligatory use of the two languages in the inaugural speeches and opening sessions, and in their equal use -as regards their contents- of both languages in the advertisements of the manifestation by every single party involved. Besides, in the case of the occurrence of other speeches, at least one of them must be carried out in the less prevailing language; whenever there is one single discourse, part of it must be translated, or directly presented in the less prevailing language with respect to the rest of the discourse.

In public manifestations which do not fulfil the conditions described in the preceding paragraph, as well as in those events concerning culture, entertainment, sports and other type of events whose summoning extends to an unspecified number of participants in advance, part of the inaugural speech, or the opening session, or at least part of the announcements, must be presented in both languages.

Article 13

Final and transitory provisions

Public writings existing within the nationally mixed territory of the Municipality of Isola must be written in accordance with the provisions of the present Decree, whenever the first substitution takes place, or else throughout the first year after the present decree at the latest.

Article 14

The present Decree shall come unto force fifteen days after its publication in the Official Bulletin.

The major Breda Pecan

Prot. n.: 005-01-1/2000

Date: February 10, 2001

Unofficial translation

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