

**Comments by the Czech Republic on the First Report of the Committee of Experts
of the European Charter for Regional and Minority Languages on the Czech
Republic's compliance with the Charter**

Contents	Page
Introduction	2
Comments on Chapter 1	2
Comments on Chapter 2	3
Comments on Chapter 3	9

Introduction

The Czech Republic welcomes the Committee's report on its compliance with the Charter, based on the First Periodical Report submitted to the Secretary General of the Council of Europe on 30 April 2009. In accordance with Art. 16 para. 3 of the Charter, the Czech Republic presents the following comments.¹

The Committee's report was received by the Secretariat of the Government Council for National Minorities (hereinafter "the Council") on 9 June 2009. Its Czech translation, together with draft comments, was made available to the members of the Council.

On 24 August 2009, amended draft comments were submitted to the Government. The Government approved the comments by its Resolution No. 1060.

Comments on Chapter 1

Ad 4.

The text of the Charter and all relevant documents are available on the website of the Government Council for National Minorities (in the form of a link to the relevant web address of the Council of Europe).

First Periodic Report in Czech:

https://web2006.vlada.cz/assets/ppov/rnm/aktuality/iii_periodicka_zpravacharta_1_def_1.pdf

First Periodic Report in English:

http://www.coe.int/t/dg4/education/minlang/Report/PeriodicalReports/CzechRepPR1_en.pdf

First Periodic Report in French:

http://www.coe.int/t/dg4/education/minlang/Report/PeriodicalReports/CzechRepPR1_en.pdf

The text of the Language Charter (with a link to 49 translations):

http://www.coe.int/t/dg4/education/minlang/textcharter/default_en.asp

Documents on ratification of the Charter:

<http://www.vlada.cz/cz/pracovni-a-poradni-organy-vlady/rnm/dokumenty/mezinarodni-dokumenty/evropska-charta-regionalnich-ci-mensinovyach-jazyku-17547/>

The handbook *The Charter - what do we need to know?* was distributed to all municipalities that have set up a Committee for National Minorities, to regional authorities offices and also to the minorities' representatives. Additional reprints are available upon request. The handbook is also available on the Council's website (<http://www.vlada.cz/cz/pracovni-a-poradni-organy-vlady/rnm/dokumenty/publikace/charta-co-bychom-meli-vedet-18224/>).

Ad 12.

The municipalities with the largest proportion of members of the Polish minority are Hrádek, Milíkov and Košariska. It is to be noted that the percentage does not express the share of

¹ Paras 13, 22 and 23 of the Report contain some historical inaccuracies; however, these are not covered by these Comments.

"speakers" but the share of members of the minority. The total number of persons declaring in the 2001 census that their mother tongue is Polish was 44 825, i.e. 7 143 less than those who claim membership of the Polish minority (51 968 persons).

Table 1 Summary of municipalities with more than 10% of Polish minority members (2001 census)

Municipality	% of members of the Polish minority	Municipality	% of members of the Polish minority
Hrádek	42.77	Horní Suchá	23.18
Milíkov	41.08	Komorní Lhotka	21.42
Košářska	38.63	Chotěbuz	21.30
Vendryně	35.22	Řeka	21.24
Bukovec	33.55	Třanovice	21.14
Dolní Lomná	31.03	Písek	20.92
Bocanovice	30.84	Jablunkov	20.69
Bystřice	29.67	Vělopolí	18.93
Ropice	28.86	Střítež	18.78
Horní Lomná	28.43	Mosty u Jablunkova	18.24
Písečná	26.74	Třinec	17.69
Nýdek	26.54	Petrovice u Karviné	16.21
Smilovice	26.33	Český Těšín	16.11
Stonava	25.76	Těrlicko	12.92
Návsí	23.96	Hnojník	11.48
Albrechtice	23.51		

Ad 41.

By the Government resolution No. 689 the Minister of the Interior was tasked to carry out (before 30 June 2007) an audit of municipalities which meet the conditions of Art. 117 of the Municipalities Act (No. 128/2000), i.e. to evaluate the functioning of Committees for National Minorities and to inform the Deputy Prime Minister and Minister of Justice of the findings. In 2009, the process started by the audit will result in the submission of a draft amendment to the Municipalities Act which provides for the conditions for setting up of Committees and their composition and the conditions for the use of bi-lingual signs in the language of the national minority on public premises and buildings (Report on the Situation of National Minorities in the Czech Republic for 2008, Chapter 16 and Appendix 14, Decree No. 845 of 29 June 2008).

Comments on Chapter 2

Ad 50.

The majority of citizens of Croatian nationality, including the older generation, only understand, but do not speak, Croatian. The young generation's language skills are limited to understanding the language (oral communication).

Moreover, there is no municipality where a number of Croatian minority members would represent 10% of inhabitants; in the municipality with the largest proportion, Croatians make 1.53% of 654 inhabitants, according to the 2001 census. The small proportion of the Croatian minority at municipal level is attributable to the practices of the totalitarian regime in the post-war period. The time elapsed since then makes it difficult to continue the broken tradition.

Ad 58.

The scope of independent powers of at municipal level is *de jure* the same for all municipalities. Delegated powers are exercised by each municipality, but in varying degrees. By the level of delegated powers, the law (Act No. 314/2002) makes distinction between municipalities with a designated local office and municipalities with extended powers.

Ad 88.

Special Schools and, since the adoption of the new Education Act of 2005, Special Elementary Schools, were and are intended for children with light mental handicaps. They have never been intended for the socially disadvantaged. The fact that Roma pupils who had been incorrectly diagnosed as having light mental handicaps were assigned to these establishments was found discriminatory by the European Court of Human Rights.

Ad 89.

Problems with introducing Romani in kindergartens and elementary schools are of a practical nature, they do not stem from unwillingness of the state to deal with the issue. Since Romani has no codified standard form, it cannot be included in education without a prior expert analysis. As a first necessary step, the Ministry of Education, Youth and Sports commissioned a project “Preparation and Pilot Testing of Methods of Sociolinguistic Research into the Position of Romani in the Czech Republic”, in order to determine how Romani might be used in education. While this is still a question of teaching Romani, another matter is teaching in Romani. Eventual introduction of teaching in Romani would require training of teachers and introducing study programmes at the relevant (eight) faculties of education.

Ad 95.

More information on the research project “Preparation and Pilot Testing of Methods of Sociolinguistic Research into the Position of Romani in the Czech Republic” can be found in the Report on the Situation of National Minorities in the Czech Republic for 2008 (<http://www.romistika.eu/docs/SociolingVyzkumRomstiny2008.pdf>). See also below.

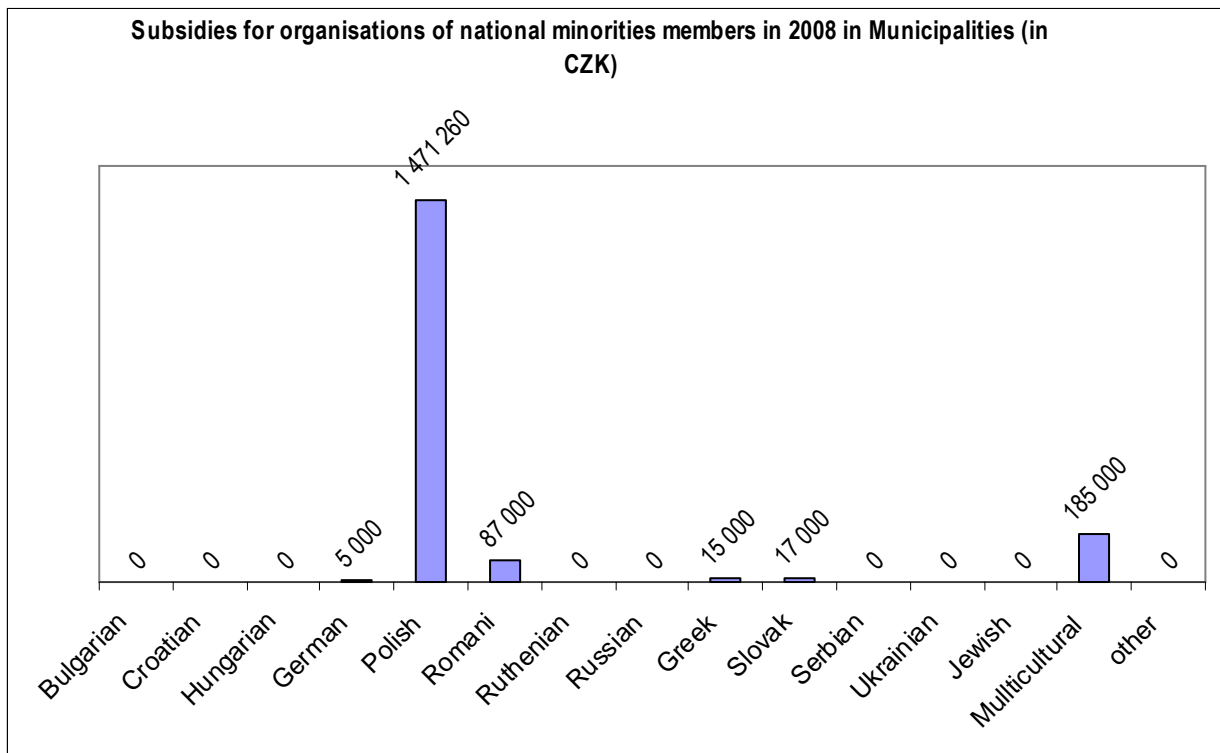
Ad 114.

Following the presidential veto, the Antidiscrimination Act was returned to the Chamber of Deputies for a new debate. On 17 June 2009, the Act was approved by the Chamber of Deputies and comes into force on 1 September 2009.

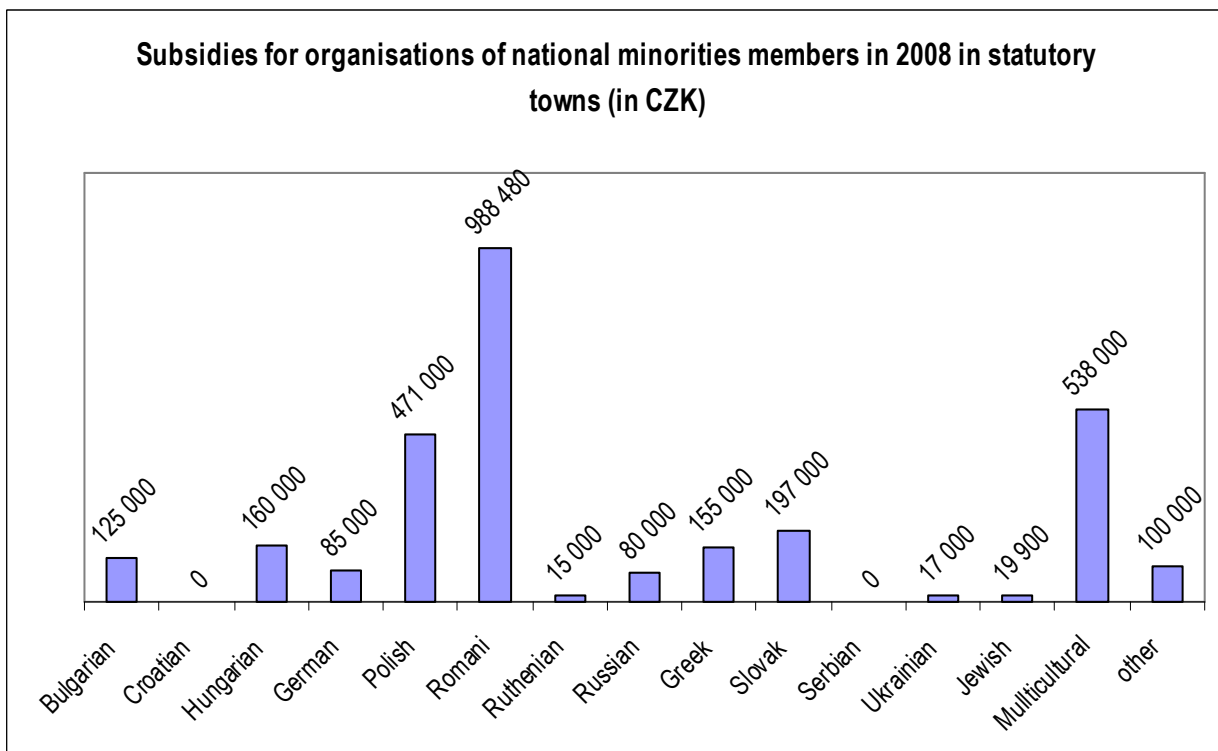
Ad 230.

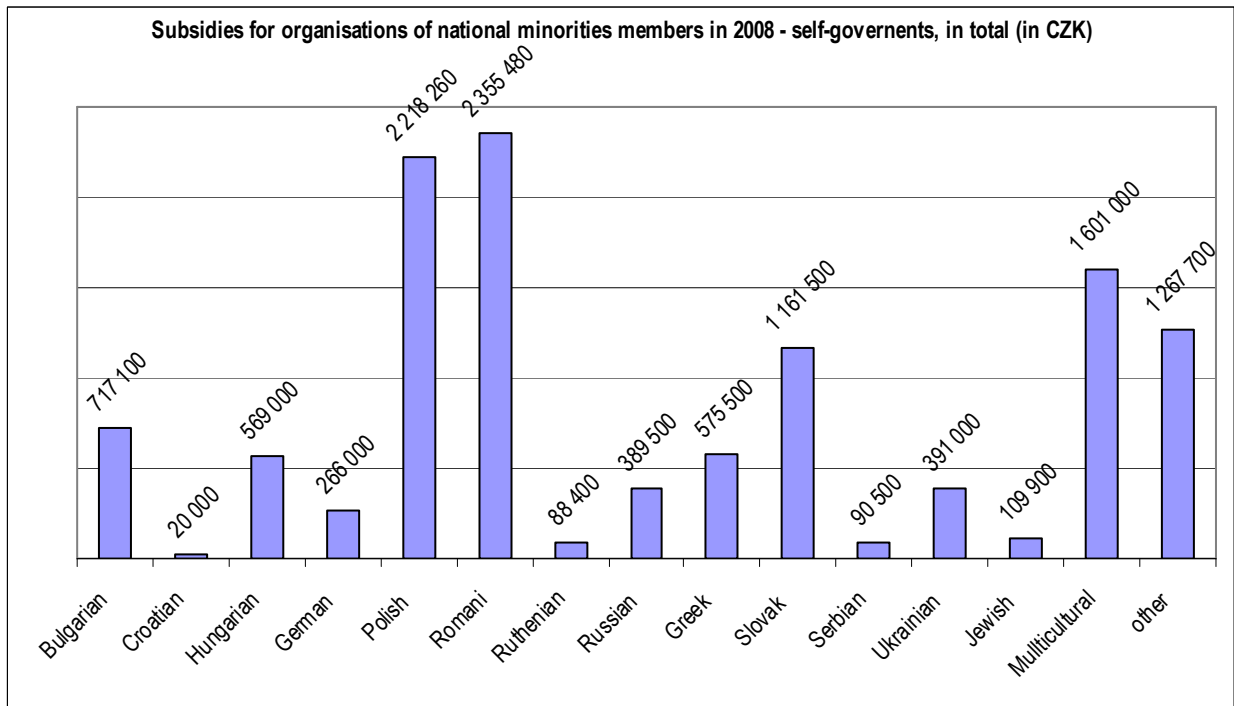
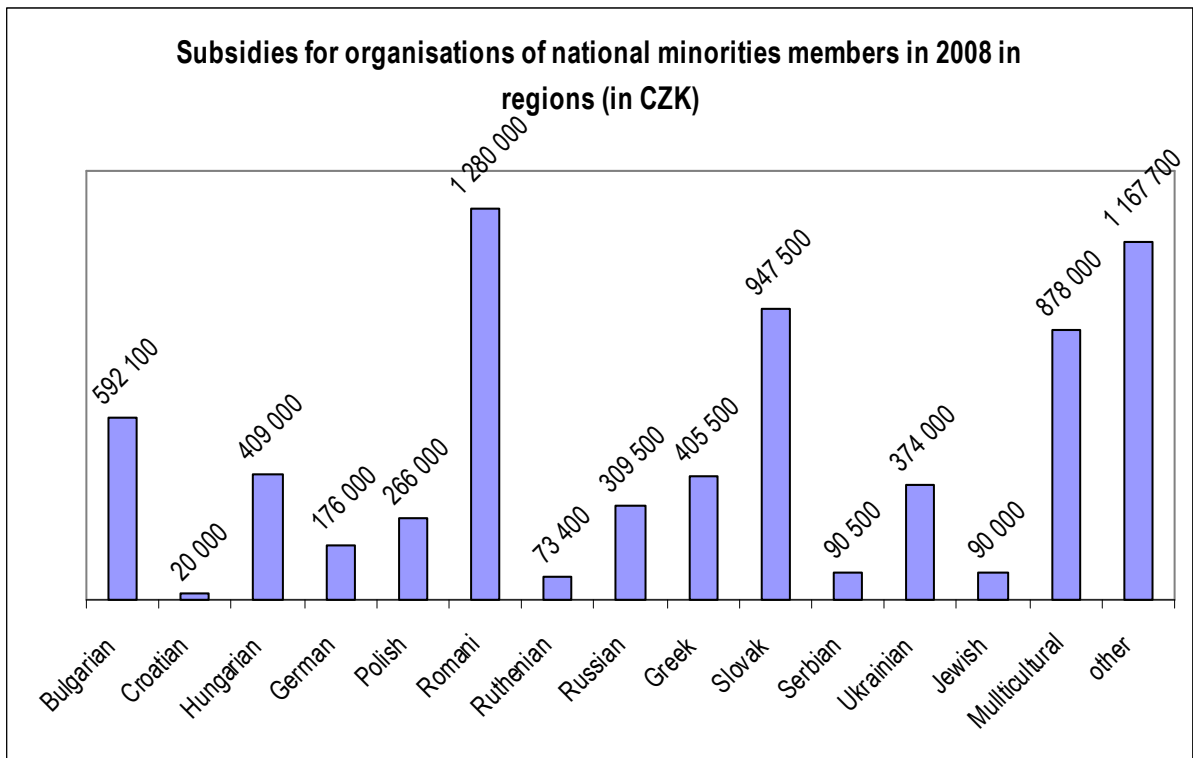
A list of grants provided from public finances at the level of municipalities, statutory towns and regions for the cultural activities of the Polish minority is made public regularly in the Report on the Situation of National Minorities in the Czech Republic. As appears from the data in the Report, at municipal level (not only in the districts of Frydek-Místek and Karviná), the Polish minority receives the highest level of grants.

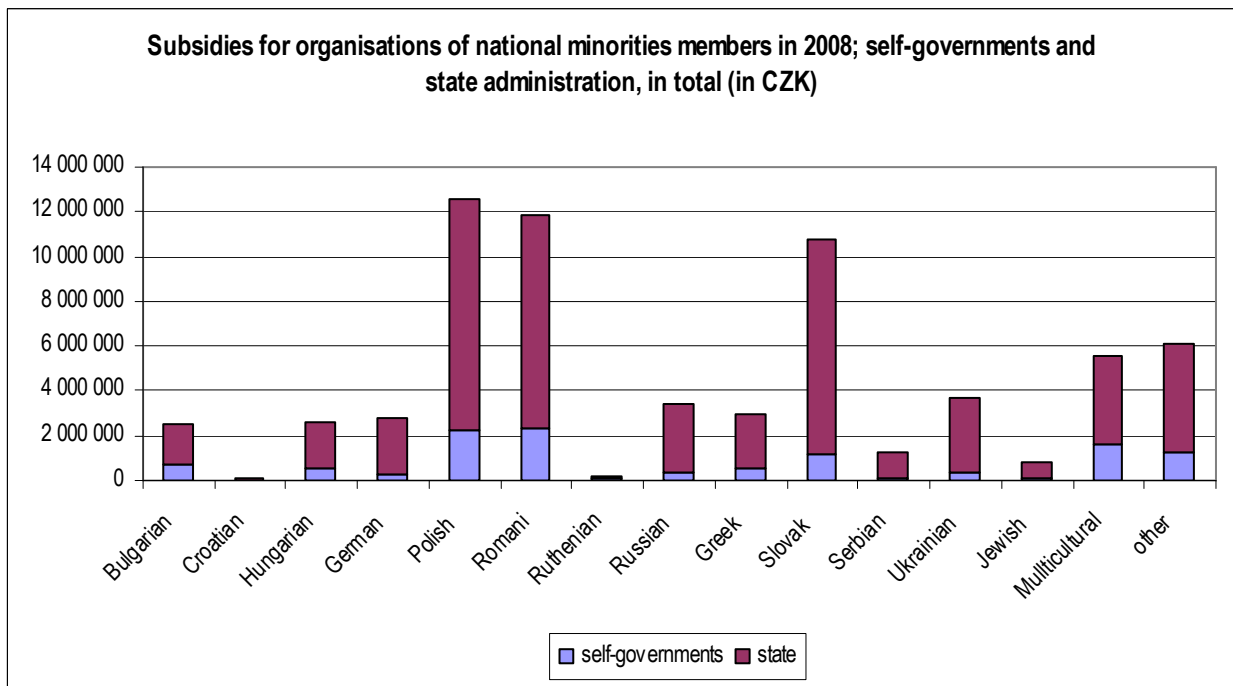
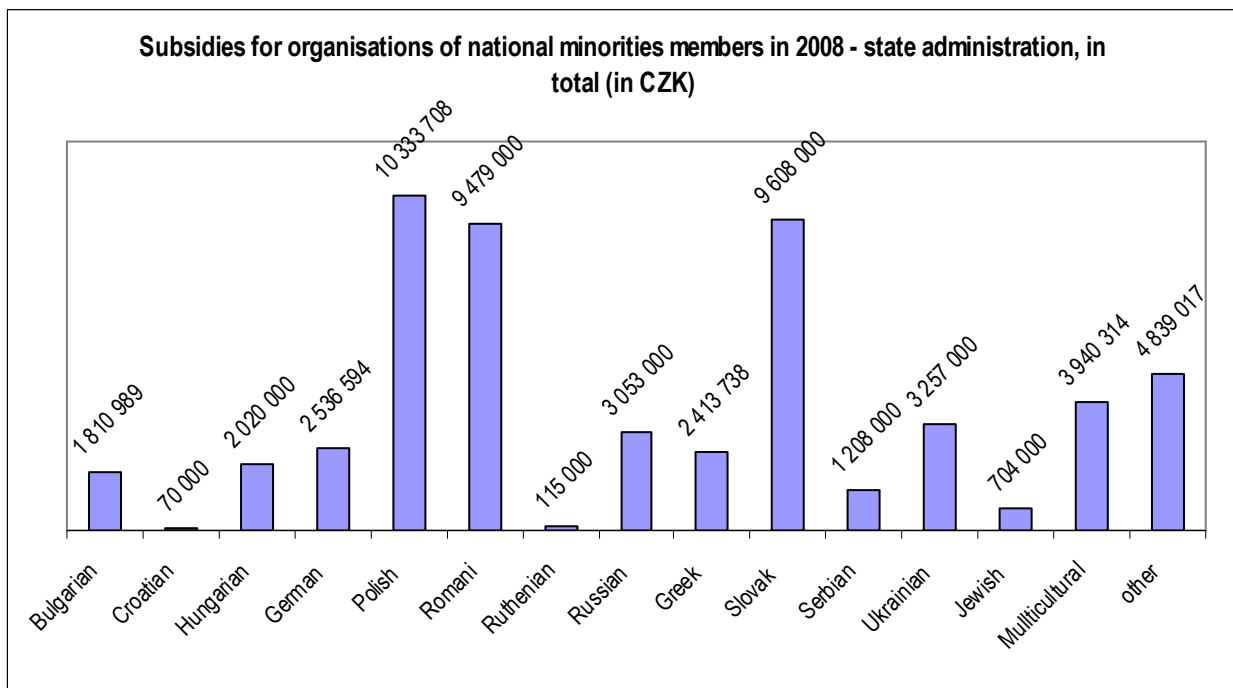
A summary of grants in regions, cities and municipalities by individual national minorities:



In comparison to the situation in 2007 there has been a growth in Polish projects. This does not include 751 125 CZK from the state budget for the implementation of the Charter, this sum being considered as a subsidy to municipalities, not only to the Polish minority.







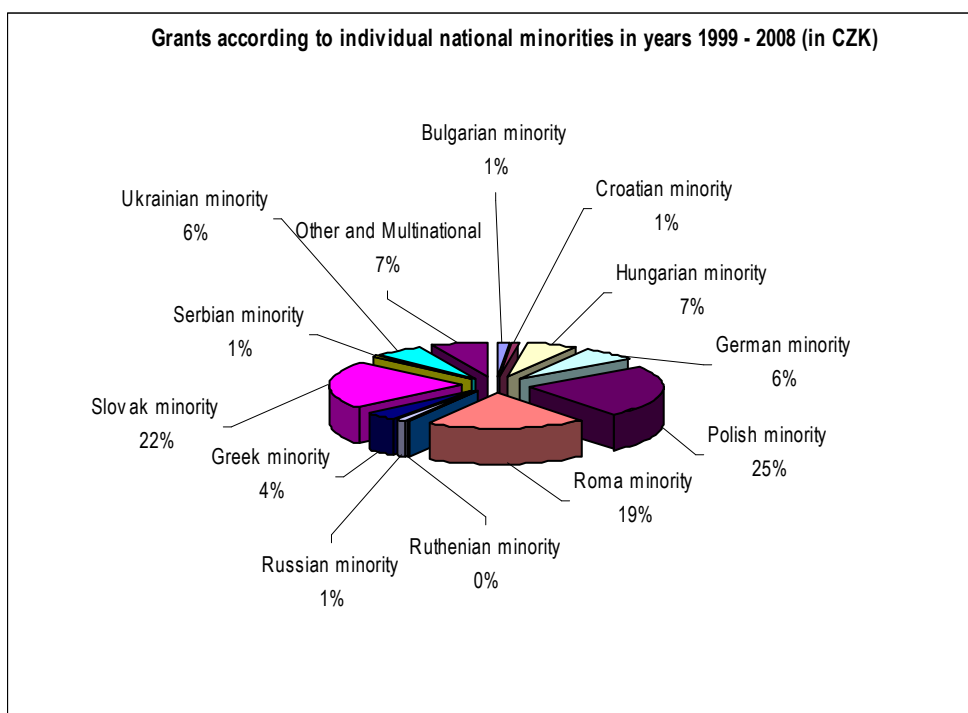
From the comparison it follows that in the long-term the greatest support from local (self-government) authorities both at local and regional level is directed towards the Roma and Polish minorities, while grants from state administration are predominantly for Polish and Slovak organisations. This is given above all by the support for minority periodicals. Of the overall total, the Polish, Slovak and Roma minorities receive about one-third of all grants; the Croatian and Ruthenian minorities receive the smallest proportion of the local authorities and central state administration grants. The ratio of grant values is not proportional to the size of the minorities (as established by the census). It may therefore be assumed that in the allocation of grants a significant role is played by the quality of submitted projects.

Ad 305.

A subsidy scheme is issued by the Ministry of Culture each year, without limitation. The graphs which follow illustrate the allocation of funds from the culture department to individual minorities over the last 10 years.

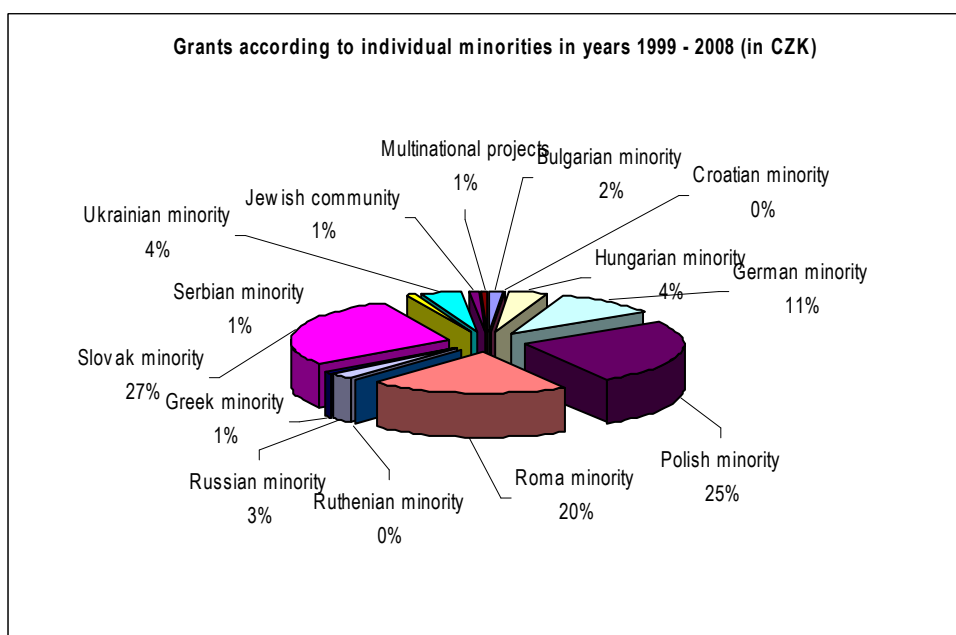
SUBSIDIES TO SUPPORT THE CULTURAL ACTIVITIES OF NATIONAL MINORITIES (by the Ministry of Culture)

Bulgarian	1 129 670
Croatian	679 979
Hungarian	5 576 000
German	5 462 257
Polish	20 296 125
Roma	16 458 888
Ruthenian	236 000
Russian	853 000
Greek	3 563 894
Slovak	19 015 297
Serbian	565 000
Ukrainian	4 948 000
Other and Multinational	5 870 160
Total	84 654 270



SUBSIDIES TO SUPPORT DISSEMINATION AND RECEIPT OF INFORMATION IN MINORITY LANGUAGES (by the Ministry of Culture)

Bulgarian	4 284 500
Croatian	0
Hungarian	10 777 000
German	29 873 500
Polish	72 572 250
Roma	57 547 250
Ruthenian	418 500
Russian	8 115 000
Greek	2 103 000
Slovak	79 871 250
Serbian	2 600 000
Ukrainian	11 207 347
Jewish	3 196 000
Multinational	1 893 500
Total	284 459 097



Ad 310.

For a number of years, the Slovak minority has been running the Domus project (DOcumentation and MUSeum Centre for the Slovak Minority in the Czech Republic, set up by the Slovak Culture Club;

http://www.klubsk.net/index.php?option=com_content&task=blogcategory&id=15&Itemid=30). In 2008, the project received a Ministry of Culture grant of 150 000 CZK from the

programme for the support of cultural activities of members of national minorities (see Report on the Situation of National Minorities in the Czech Republic in 2008, Appendix 4).

Comments on Chapter 3

Ad B. and I.

At local self-government level, a circumvention of the law concerning the representation and meeting of the requirements of national minorities has been noted. With the aim of facilitating the decision-making on the installation of bi-lingual signs in national minority languages, the Government Council for National Minorities proposed to amend the Municipalities Act. Based on the findings of the Report on the Situation of National Minorities in the Czech Republic in 2008, the amendment would introduce direct participation of civic associations representing national minorities in municipalities in the decision-making process. The amendment should also deal with situations when the decision-making is blocked by minorities committees themselves.

Ad C.

In the present situation, the Council is seeking at least not to have the budget for national minorities reduced. However, in view of the current financial and economic situation and government austerity measures, a budget increase is unlikely.

Ad D. and G.

It is true that there is no structured programme of language support for German (from the national minority's point of view, since there are not enough pupils). German has the same standing as other minority languages. Moreover, throughout the country, German has a strong position in elementary and secondary schools as part of teaching of foreign languages (bi-lingual schools, in some schools as a priority foreign language). The Ministry of Education, Youth and Sports supports inter alia the language activities of grammar schools which offer German language teaching leading to the award of the *German Language Diploma*. The diploma makes studying at German universities possible without additional language tests. As has been mentioned, the dispersed nature and age profile of the German minority does not make a special programme of language support feasible.

On the position of Romani, see Ad 89. So far, any improvement in the perception and use of Romani has been slowed by the absence of codification of the language.

Ad E. and F.

See above, Romani is used in the nationwide public radio station Radiožurnal, through the programme O Roma vakeren (Roma Calling) every Friday from 20:05 to 21:00. See also Ad 89.

Ad H.

The right to use one's mother tongue in court proceedings is not mandatory; its use is at the discretion of the person concerned (even if he/she has the knowledge of Czech). Should anyone be denied the right to use their mother tongue, such a breach of law can be remedied by procedural means (raising an objection in court).

Already before the ratification of the Charter, the Secretariat of the Government Council for National Minorities prepared and distributed the information handbook *The Charter - what do we need to know?* to all interested parties (primarily to local government offices); the handbook is also available on the Council's website.

Ad K.

According to the information from the Slovak minority representative on the Council, there is not sufficient interest on the part of the Slovak minority in teaching of Slovak. Slovak is present in public and private media broadcasting, albeit not on a regular basis (news reporting, sports commentaries, Slovak presenters/guests on entertainment programmes).

Ad L.

Raising general awareness about national minorities is the aim of many campaigns (e.g. the government Campaign against Racism, the European Year of Inter-Cultural Dialogue 2008 in the Czech Republic) or educational programmes (Multicultural Training). A significant role is also played by non-profit organisations and their activities.

Ad Recommendation 1.

As mentioned ad L, increased awareness about national minorities and increased level of tolerance in society towards them is the long-term aim of many government initiatives.

Full list of grants for 2008:

<i>Specification</i>	<i>Grant provider (kind of grant)</i>	<i>Grant value (CZK)</i>
Cultural activities of members of national minorities	Ministry of Culture (Dept. of regional and nationalities culture - grant programme)	9 913 029.-
The KHAMORO world Roma festival in Prague	Ministry of Culture (Government Decree No. 347/2003)	2 000 000.-
Operation of the Museum of Roma culture in Brno.	Ministry of Culture (Dept of Protection for movable cultural heritage, museums, galleries)	8 133 000.-
Operation of the Terezín Memorial		25 776 000.-
The Vagón project (Slovak-Czech Club)	Ministry of Culture (foreign Dept)	200 000.-
Grants for activities of members of national minorities	Ministry of Culture, Dept of Arts and Libraries (grant programme)	3 470 000.-
Grant for Library of the 21 st Century		142 000.-
Support for spreading and receiving information in national minority languages	Ministry of Culture (grant programme)	30 000 000.-
Education in the national minority languages and multicultural training.	Ministry of Education (grant programme)	15 901 331.-
Integration of members of Roma communities	Ministry of Culture (grant programme)	1 991 482.-
Support for education of socially disadvantaged children, pupils and students	Ministry of Education (grant programme)	14 319 000.-
Integration of members of Roma communities - support for Roma pupils in secondary schools		10 000 000.-
Programme to prevent social exclusion in Roma communities ²	Czech Office of the Government (grant programme)	19 998 600.-
Coordinators for Roma advisors in regional government offices ²		4 217 730.-
Support for field social work		9 700 000.-
Implementation of the European Charter for Regional and Minority Languages	Czech Office of the Government (Government Decree No. 637 dated 11 th June 2005, GTA Chapter	751 125.40

Total 156 513 297.40 CZK

² On the basis of Government Decree No. 841 dated 25 July 2007 on the Control Conclusions of the Supreme Audit Office on Control No. 06/04: State Budget Funds included in the General Treasury Administration Chapter, items dealing with support for the activities of members of national minorities and the integration of the Roma community were transferred from 2008 from the GTA Chapter to the budget of the Office of the Government.

Ad Recommendation 2.
See Ad D and G.

Ad Recommendation 3.
See Ad B.

Ad Recommendation 4.
See Ad D, G and K.

Ad Recommendation 5.
See Ad E and F.