

RESOLUTION 2023-08

Joint Resolution of the Council of Carinthian Slovenes (NSKS) and the Community of Carinthians Slovenes (SKS)

The Delegates of the Member Organisations of the Federal Union of European Nationalities (FUE) adopted the following resolution at their Assembly of Delegates in Pécs • Fünfkirchen • Pečuh, Hungary on 9 September 2023:

Resolution on the inadequate implementation of minority rights in Austria

The Slovene ethnic group in Carinthia/Koroška basically enjoys comprehensive minority rights, which are enshrined in the Austrian Federal Constitution and in agreements under international law. Despite a significantly improved climate between the majority population and the ethnic group in recent years, these rights are not implemented sufficiently or with great delay. Recently, there have been an increasing number of examples of minority rights not being taken into account in implementing legislation.

1. Education

Although the Austrian State Treaty of 1955 guarantees elementary education in Slovene, there are still no legal regulations for bilingual kindergartens, no regulations for the training and recognition of qualifications of bilingual elementary teachers, and no regulations for bilingual after-school care or bilingual leisure education in general. Due to the fact that Slovene is not offered or not required in many types of schools, the use of the language is lost. In addition, due to the migration of members of the ethnic groups to larger urban centers, the acquisition of the languages of the ethnic groups must also be ensured outside the traditional settlement areas, as required by the Council of Europe in connection with the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.

A new decree on curricula for elementary schools stipulates, among other things, that for pupils registered for bilingual education in Carinthia/Koroška, subject instruction in German should be 4-6 hours, and subject instruction in Slovene 3-4 hours per week. Although the Minority School Act for Carinthia stipulates that instruction in both languages must take place to approximately the same extent, an unequal distribution of language instruction was made here and 2 Slovenian hours were deleted.

2. Use of the Slovenian language in the jurisdiction

Slovenian is allowed as a court language in three district courts, but these three district courts cover only one third of the bilingual area. Due to an ECJ ruling, all EU citizens are also allowed to use the Slovenian language before the regional court in Klagenfurt/Celovec, while 2/3 of Carinthian Slovenes do not have access to the bilingual jurisdiction. An extension of the admission of the Slovene language as a court language to the entire

bilingual area is vehemently demanded by all representatives of the ethnic groups, as it is guaranteed in Article 7 (3) of the State Treaty.

3. Use of the Slovene language in the administration

In public administration, as in the judiciary, there is a lack of competent bilingual personnel. In tenders for positions in the bilingual field, knowledge of the Slovene language is often not taken into account as a criterion, although the lively use of the language in public life is of immense importance for the preservation of the minority language. Therefore, there is a need for a legal regulation that prescribes the knowledge of the Slovene language for employees in the public administration to an appropriate extent.

4. Amendment of the Ethnic Groups Act

In the course of the place-name sign negotiations in 2011, an important promise was made in the so-called memorandum for the Slovene ethnic group, namely the swift adoption of a “new ethnic group law”. The coalition program from 2020 of the current federal government also provides for an amendment of the Ethnic Groups Act, which dates back to 1976 and urgently needs to be reformed. Unfortunately, the federal government has not yet submitted a draft.

The Federal Union of European Nationalities requests the Austrian Federal Government

- to generally create the legal framework conditions to ensure the learning and teaching of the language of the ethnic groups in all areas of school education from crèche to university, including technical schools, also outside the autochthonous settlement area for all six recognized ethnic groups.
- to initiate a process for an overdue reform of the Minority School Act for Carinthia, including elementary education, recreational education and strengthening bilingualism at the secondary level.
- to implement necessary changes in the curriculum for the bilingual elementary schools in Carinthia by means of ordinances as well as to shape future reforms in the school system with the involvement of the organisations of the ethnic groups.
- to extend access to bilingual jurisdiction for the Slovene ethnic group to the entire bilingual area, including the Klagenfurt Regional Court, and to establish competence centers for the smooth operation of the bilingual courts.
- to regulate by law the knowledge of the Slovene language for employees in the judiciary and in the administration in the bilingual area as well as to promote the language acquisition of the employees by appropriate trainings.
- to subject the Ethnic Groups Act to a comprehensive amendment involving all recognized ethnic groups in Austria, as stipulated in the coalition agreement.