

Non – Paper

### Amendment to the Act on the State Language of the Slovak Republic

*On 30 June 2009 the National Council of the Slovak Republic approved a Government-proposed amendment to the Act on the State Language of the Slovak Republic. The relevant **Act governs the use of the state language in particular domains of communication with public authorities by guaranteeing its priority usage, alongside existing Slovak laws, which also enable the use of other languages.***

- The state language as a common means of communication plays a crucial role in the society. Its preferential use in public communication is justified by **its specific status, which is also recognised by international law documents**. International law does not govern this area at all and leave it in the jurisdiction of individual countries.

- **The goal of the Language Act Amendment** is to ensure the availability of information also in the state language throughout the entire of Slovakia so that the state language **can fulfil its function of integration within society**. The Language Act Amendment does not aim to regulate the use of minority languages. As far as the territories with a nationally mixed population are concerned, the Act builds on the principle of bilingualism.

- **The use of minority languages in Slovakia is governed and guaranteed by separate legislation**, the Constitution of the Slovak Republic and Slovakia's commitments under international law. The Act of the National Council of the Slovak Republic No. 184/1999 on the Use of National Minority Languages still remains in force with respect **to the use of national minority languages**.

- The Act on the State Language is **not discriminating against members of national minorities** since it fully observes **all applicable rights granted to them under other legal regulations**. The Act on the State Language does not govern the specific rights of persons belonging to national minorities.

- The Act on the State Language **does not prohibit the use of other languages** in public communication.

- The **obligation of the preferential use of the state language** must be observed **in two cases only: in written texts for the public** that are part of notice boards, memorials, announcements, advertisements, etc. displayed in publicly accessible places; and **in official announcements aired by Public Address (PA systems)**. In any other case (including TV and radio broadcasting) a language other than the state language may be used in the primary position.

- In several areas - mainly in the area of radio broadcasting - the amended Act **has extended the possibilities for the use of minority languages**.

- The aim of the implementation of penalties is not to punish individuals for the wrong use of the state language. **Penalties** only apply to public administration bodies, legal persons and natural persons licensed to conduct business activities (**i.e. not the "ordinary citizens"**), in case they are in breach of the obligations imposed by the Act or fail to remedy an unlawful situation. A penalty is only imposed if the unlawful situation has not been remedied even after a written warning notice by the Ministry of Culture. **The penalties are not intended to regulate the language culture.**

- **Punitive measures in the form of penalties also** exist in laws concerning the state language and its usage in **other countries too** (for example France, Poland, Slovenia, Estonia, Lithuania and Latvia).

- **The OSCE High Commissioner on National Minorities Knut Vollebaek** reviewed adopted amendment to the Law on the State Language of the Slovak Republic. In his Opinion of July 22, 2009 he stated that the amendment pursues a legitimate aim and is in line with international standards. He also asks that Slovak Republic implement the law in a careful consideration. The imposition of the sanctions for the violation of the provisions of the law is seen as legitimate and acceptable under current international standards.

- Close cooperation between relevant Slovak authorities and the OSCE High Commissioner Office has been launched regarding the elaboration of methodological rules that will clearly regulate the implementation of the Act in practice. We also welcome the OSCE High Commissioner's intention to perform an active assistance and monitoring role throughout the implementation of his recommendation regarding the Act.

*Ministry of Foreign Affairs of the Slovak Republic, Bratislava, September 29<sup>th</sup>, 2009*