RESOLUTION 2011-02
Hrvatsko Kulturno Društvo u Gradišću

Eisenstadt/Željezno, 03 June 2011

From 1 till 4 June 2011 the Federal Union of European Nationalities held its Assembly of Delegates in Eisenstadt/Željezno. The host was the Croatian Cultural Association in Burgenland / Hrvatsko Kulturno Društvo u Gradišću, which is a member of FUEN and is represented in FUEN’s presidium with a vice-president.

As a result of the current discussion within the minorities of the Croats in Burgenland and the Slovenes in Carinthia, but also in the German-language Austrian media on the issue of the enactment of the languages of these minorities as official language and the introduction of bilingual signs and topographical signage as arranged in the State Treaty of Vienna (1955), also the Assembly of Delegates dealt with these subjects.

The Assembly of Delegates has come to the following conclusions:

**Croatian as official language in Burgenland**

The regulation on official languages belonging to the Ethnic Group Law 1976 was first enacted for Burgenland in 1991 (!) and several villages/hamlets where significant numbers of people belonging to the minority live were not included – including the capital of Eisenstadt, where many minority organisations are located.

The arrangements in the Ethnic Group Law in regard to forms is lacking in practical relevance, vexatious and contra-productive. Neither bilingual forms nor authorities drawing up documents in both languages are provided for by law.

Another problem in the use of Croatian as a second official language is the absolute lack of bilingual civil servants and their partly sometimes limited language proficiency, so that Croatian written documents only very seldom are possible or only with a significant time delay.

**Bilingual topography**

The discussion on bilingual topographic signage as guaranteed by the constitution has been restricted for decades to the placement of bilingual place name signs. The legal definition “signs and marks of topographic character” (not just place name signs) show an imperative for a broad definition, including at least also road signs, information plates, street signs, information on public buildings and other signs.

The participants of the Assembly of Delegates were able to notice bilingual place name signs in the bilingual municipalities, but street signs and information on public buildings only in very few municipalities. Road signs also in the languages of the minorities do not exist in Burgenland at all.
Recognising the merits the Republic of Austria rendered in South Tyrol in regard to the rights of the German-speaking South-Tyroleans, especially the acceptance of the German language as official language and aware of the state aim of Article 8 para 2 of the Austrian Constitution ["The Republic (Federation, Laender and municipalities) subscribe to its linguistic and cultural multiplicity having grown, expressed in the autochthonous ethnic groups. Language and culture, existence and preservation of these ethnic groups are to be respected, safeguarded and to be supported."]

the Assembly of Delegates of the Federal Union of European Nationalities (FUEN) of 3 June 2011 in Eisenstadt/Želiezno adopted the following

RESOLUTION

The clear instructions in Article 7 of the State Treaty of Vienna (1955) place the Republic of Austria under an obligation and are addressed to all the authorities of the Federation, the Lands and the municipalities. All territorial entities are therefore called upon to work for the realisation of the minority rights in the spirit of modern, comprehensive, active protection and positive discrimination. The so-called state aims constitute an appropriate promise to the minorities.

The Federal Union of European Nationalities therefore calls upon all who are responsible on federal, regional and municipal level

1) to guarantee the use of the minority languages in Burgenland, Carinthia and Styria as foreseen by the respective laws and regulations at authorities and their offices, both orally and in written form and also to create the legal frameworks for real bilingualism within the bilingual area (especially in regard to forms, official documents and official announcements).

2) not to continue restricting the definition of "signs and marks of topographic character" to mere place name signs, but instead to widen it in the spirit of the state aim and real visible multilingualism according to the model of many other European minorities to preferably all the "signs and marks of topographic character" that are installed by the authorities.

In terms of the principle of the rule of law in the Land of Carinthia the adjudications of the Austrian Constitutional Court should be taken into account in relevant legislation.

If the Republic of Austria takes the minority protection and promotion it laid down in its constitution seriously and if it is sincerely interested in the preservation of its minorities and wants to achieve a European level of minority protection, the Assembly of Delegates considers that prompt implementation of the aforementioned recommendations is absolutely imperative.
Annex:

**FEDERAL CONSTITUTIONAL LAW (B-VG) – determining state aims**

**Art 8.**

1. German is the official language of the Republic without prejudice to the rights provided by Federal law for linguistic minorities.
2. The Republic (Federation, Laender and municipalities) subscribe to its linguistic and cultural multiplicity having grown, expressed in the autochthonous ethnic groups. Language and culture, existence and preservation of these ethnic groups are to be respected, safeguarded and to be supported.
3. The Austrian sign language is recognized as independent language. Details are regulated by the laws.

**STATE TREATY of VIENNA; 1955 - Article 7.**

**Rights of the Slovene and Croat minorities**

1. Austrian nationals of the Slovene and Croat minorities in Carinthia, Burgenland and Styria shall enjoy the same rights on equal terms as all other Austrian nationals, including the right to their own organizations, meetings and press in their own language.
2. They are entitled to elementary instruction in the Slovene or Croat language and to a proportional number of their own secondary schools; in this connection school curricula shall be reviewed and a section of the Inspectorate of Education shall be established for Slovene and Croat schools.
3. In the administrative and judicial districts of Carinthia, Burgenland and Styria, where there are Slovene, Croat or mixed populations, the Slovene or Croat language shall be accepted as an official language in addition to German. In such districts topographical terminology and inscriptions shall be in the Slovene or Croat language as well as in German.
4. Austrian nationals of the Slovene and Croat minorities in Carinthia, Burgenland and Styria shall participate in the cultural, administrative and judicial systems in these territories on equal terms with other Austrian nationals.
5. The activity of organizations whose aim is to deprive the Croat or Slovene population of their minority character or rights shall be prohibited.

The German version of this resolution also contains a footnote with an explanation from BKA (the Austrian Federal Chancellery) on "signs and marks of topographic character" and additional provisions.