

According to article 27 (2) of the current draft Hungary is committed to repeal all relevant provisions.

24. European Commission Comprehensive Monitoring Report on Hungary's Preparations for Membership 2003 (extracts)

C. Commitments and Requirements Arising from the Accession Negotiations

2. The chapters of the *acquis*

Chapter 27 – Common Foreign and Security Policy

p. 51.

The *acquis* related to common foreign and security policy (CFSP) is essentially based either on legally binding international agreements or on political agreements to conduct political dialogue in the framework of CFSP, to align with EU statements, and to apply sanctions and restrictive measures where required.

The administrative structures in this area in Hungary are in place and satisfactory. With regard to participation in **political dialogue**, Hungary has continued its successful co-operation. Concerning the Law on Hungarians living in Neighbouring Countries, the modifications to the law adopted by Parliament in June 2003 appear to have brought the framework legislation in line with the *acquis*. However, given that the law still contains extraterritorial elements, prior agreement has to be sought with the neighbouring countries concerned on the application of these elements in these countries. Also, attention must be paid to ensuring that the implementing legislation will be in full conformity with the *acquis*.

[...]

Conclusion

p. 52.

Hungary is essentially meeting the commitments and requirements arising from the accession negotiations in the chapter on the **common foreign and security policy** and is expected to be able to participate in the political dialogue and to align with EU statements, sanctions and restrictive measures by accession. Hungary has to adopt legislation on economic sanctions. Furthermore, attention must be paid to ensuring that the implementing legislation of the Law on Hungarians living in Neighbouring Countries will be fully in line with the *acquis*. Also, any extraterritorial benefits provided for by the law have to be agreed in advance with the neighbouring countries concerned.

Status Laws of Neighbouring Countries

25. Resolution on the Position of Autochthonous Slovene Minorities in Neighbouring Countries and the Related Tasks of State and Other Institutions in the Republic of Slovenia (Official Gazette of the Republic of Slovenia, No. 35-2280/1996)

Chapter 1

General Part

I

The areas of neighbouring countries inhabited by autochthonous Slovene minorities constitute, together with the Republic of Slovenia, a common Slovene cultural area.

Autochthonous minorities are a constituent part of the societies of neighbouring countries but are linked by numerous ties with the state of the Slovene people. The members of autochthonous minorities, Slovenes living across the borders of Slovenia, are citizens of neighbouring countries with all rights and obligations towards those countries and are a valuable bridge for cooperation and good neighbourly relations between the Republic of Slovenia and its neighbouring countries.

II

Autochthonous Slovene minorities live in the Austrian provinces of Carinthia and Styria, the Italian region of Friuli-Venezia Giulia, the Raba basin area of Hungary, and in areas on the Croatian side of the Croatian-Slovenian border, particularly Istria, Gorski Kotar and Medmurje.

III

The Republic of Slovenia stresses the validity of existing international legal documents governing the protection of the rights of autochthonous Slovene minorities in neighbouring countries. These include the Austrian national treaties, the Osimo Accords and the Agreement on the Guaranteeing of the Special Rights of the Slovene National Minority in the Republic of Hungary and of the Hungarian National Minority in the Republic of Slovenia. In accordance with the principles of succession the Republic of Slovenia is sole bearer of the rights and obligations deriving from these international agreements. At the same time it is committed to concluding new bilateral agreements which will determine more precisely the obligations of the signatories towards autochthonous national minorities.

In the international community Slovenia is striving for a general raising of the level of protection of autochthonous national minorities.

The Republic of Slovenia draws attention to the harmfulness of the type of inter-country relations which see countries attempt to settle open questions by putting pressure on autochthonous national minorities

Chapter 2

Attitude of The Republic of Slovenia to the Organisations and Activities of Autochthonous Minorities

I

The successful operation of political, economic, cultural and other organisations is an indispensable expression of the existence of the autochthonous minority as a subject and a condition of its development.

The Republic of Slovenia supports Slovene autochthonous minorities in neighbouring countries in their efforts for survival and development as national communities.

The Republic of Slovenia acknowledges the autonomy and political subjecthood of autochthonous Slovene minorities in neighbouring countries. The Republic of Slovenia welcomes the efforts of minority political organisations in individual neighbouring countries for democratically elected group representation. It also supports their efforts to achieve guaranteed representation of autochthonous minorities in legislative bodies and other political and administrative bodies.

II

The method and scale of financial support provided by the Republic of Slovenia to minority organisations is defined by statute and other legal documents.

The Republic of Slovenia supports the activities of cultural, educational, sports, research and other institutions and organisations of civil society in Slovenia which cooperate with autochthonous minorities. These institutions are able to include their projects in the annual programmes of work of state bodies of the Republic of Slovenia.

The Republic of Slovenia supports cooperation between appropriate partners at the local level intended to strengthen Slovene autochthonous minorities.

Chapter 3

Bodies of the Republic of Slovenia Responsible for Cooperation with Slovene Autochthonous Minorities in Neighbouring Countries

I

The relationship between the Republic of Slovenia and Slovene autochthonous minorities in neighbouring countries is based on the constitutional principle of care of the mother country for autochthonous minorities and equal partnership cooperation. The criterion for the cooperation of the Republic of Slovenia with individuals and organisations in neighbouring countries is their national affiliation and their work for survival and development as an ethnic community.

II

The Republic of Slovenia emphasises the need for the planned and coordinated work of state bodies in cooperation with Slovene autochthonous minorities in neighbouring countries.

Parliamentary parties will strive to achieve consensus over the fundamental principles of the policy of the Republic of Slovenia towards Slovene autochthonous minorities in neighbouring countries.

The competent bodies of the Republic of Slovenia should include in cooperation, in an appropriate way, important and representative academic, cultural and economic subjects in Slovenia and from among Slovene autochthonous minorities. To this end a special advisory body is being set up by the Government of the Republic of Slovenia.

III

The basic policy of the cooperation of the Republic of Slovenia with Slovene autochthonous minorities in neighbouring countries is determined by the National Assembly. For this reason the National Assembly is setting up a special working body charged with dealing with decisions in this field and proposing them to the National Assembly for adoption.

Its competences shall be regulated by the National Assembly by means of a decree.

IV

The implementation of the policy of cooperation of the Republic of Slovenia with Slovene autochthonous minorities in neighbouring countries shall be the responsibility of the Government of the Republic of Slovenia.

To this end a minister without portfolio has been appointed with the responsibility of proposing the policy of cooperation with Slovene autochthonous minorities in neighbouring countries and overseeing its implementation and the coordination of the activities of the competent ministries in this area.

V

The Government of the Republic of Slovenia shall submit to the National Assembly an annual report on the activities of the Republic of Slovenia in the area of cooperation with Slovene autochthonous minorities in neighbouring countries. The report shall include a policy proposal for the forthcoming year. The proposal must also contain frameworks of the budget funds needed for its implementation.

Chapter 4

Basic Areas of Cooperation of the Republic of Slovenia with Slovene Autochthonous Minorities in Neighbouring Countries

I

The Republic of Slovenia shall ensure the necessary substantive presence of minority issues in the entirety of relations with neighbouring countries and at multilateral, regional and other levels of international cooperation, particularly within the framework of regular diplomatic and state contacts.

It particularly emphasises the importance of the inclusion of the problems of autochthonous minorities into treaty relations with neighbouring countries and at the multilateral level. **Priority** should go here to bilateral treaty-based regulation of minority protection, as envisaged by the Council of Europe's Framework Convention on the Protection of National Minorities.

The minority issue must be included in the general framework of the presentation of the Republic of Slovenia in the world.

Special attention must be devoted to the appropriate activity of diplomatic and consular missions with competence in areas inhabited by minorities.

II

Strengthening the economic position of autochthonous minorities

The permanent and strategic interest of the Republic of Slovenia is the strengthening of the economic position of autochthonous minorities and their members, above all in the areas of their autochthonous settlements. In this sense it is necessary to include a minority economic component in documents on the strategy of economic development of Slovenia, and in projects of interregional and cross-border cooperation co-financed by the European Union or other international institutions or organisations.

The Republic of Slovenia shall achieve these goals by means of various economic policy measures designed to promote business cooperation of minorities with commercial subjects in Slovenia.

The Government of the Republic of Slovenia devotes special attention to the position of the banking and savings institutions of Slovene autochthonous minorities in neighbouring countries and to the preservation of their independent operation.

The employment of members of autochthonous minorities by Slovenian commercial subjects enjoys the special support of the Republic of Slovenia. This also applies to the introduction of a temporary regime for the operations of minority companies in the Republic of Slovenia in the period up to Slovenia's entry into the European Union.

The funds for these activities are provided by the budget of the Republic of Slovenia. The Republic of Slovenia shall set up a special fund for economic cooperation with Slovene autochthonous minorities.

III

Education

The members of Slovene autochthonous minorities have the right to education in schools of all types and levels in the Republic of Slovenia. For this reason the Ministry of Education and Sport pays special attention to the concluding of bilateral agreements which regulate the recognition of certificates and degrees, grants for members of autochthonous minorities, official use of textbooks published in the Republic of Slovenia for minority education in neighbouring countries, the inclusion of knowledge of the culture of the Slovene nation and neighbouring nations in general education programmes, additional training of teaching staff, etc.

The government also devotes special attention to developing independent grants programmes and to encouraging permanent contacts between schools in the Republic of Slovenia and minority

educational institutions, student exchanges, and the development of extra-curricular contacts for pupils and students within the framework of interest activities.

The Republic of Slovenia supports sports and general recreational activities or organisations which cooperate with the kindred organisations of Slovene autochthonous minorities in neighbouring countries.

The Republic of Slovenia likewise supports secondary school boarding homes, university halls of residence and private educational institutions in minority communities.

The Republic of Slovenia is adopting appropriate measures to enable a higher enrolment of children in the pre-school institutions of Slovene minorities in neighbouring countries and is providing appropriate teachers and mentors for the special educational activities of autochthonous minorities.

IV

Science

The Republic of Slovenia supports the work of the academic/research institutions of autochthonous minorities. In concluding and implementing general agreements on academic cooperation it includes researchers or research institutions from Slovene autochthonous minorities in neighbouring countries.

Notwithstanding the position achieved by the academic institutions of Slovene autochthonous minorities in neighbouring countries, the Republic of Slovenia provides permanent funds for the basic needs of their operation.

The Republic of Slovenia includes the academic and research capabilities of Slovene autochthonous minorities in neighbouring countries in the research activity of Slovenia. This applies in particular to the inclusion of academic institutions in Slovenia and Slovene autochthonous minorities in neighbouring countries which study issues of nationality.

V

Culture

It is the Republic of Slovenia's desire that the cultural activity of autochthonous minorities and the mother country should interweave organically and enrich each other as much as possible.

Slovene autochthonous minorities in neighbouring countries are included via their cultural institutions and artists in the cultural programmes of Slovenia and its cultural institutions and are becoming an increasingly important element of the cultural presentation of Slovenia at the international level and a linking factor in the establishing of cultural coexistence in areas where members of Slovene minorities live together with members of the majority nation.

The Government of the Republic of Slovenia should guarantee a suitable system of harmonising the programmes of amateur cultural activity, with which cultural institutions in Slovenia and in Slovene autochthonous minorities in neighbouring countries are involved.

The Republic of Slovenia stresses the importance of the media, particularly the electronic media, for the survival and development of the national consciousness of the members of Slovene autochthonous minorities in neighbouring countries. It is therefore necessary to ensure the reception of television and radio signals from the Republic of Slovenia in areas inhabited by autochthonous minorities. The range and quality of information about the autochthonous minority in the Slovenian media area need to be increased. Special attention needs to be devoted to programmes for children and young people.

The Government of the Republic of Slovenia, more specifically the Ministry of Culture, should support within the framework of its regular activities, the publishing activities of minorities and the circulation of Slovene books, periodicals and musical media in the areas inhabited by autochthonous minorities.

VI

Transport and telecommunications

Because unimpeded contacts of the members of autochthonous minorities with the mother country are one of the conditions for the preservation and development of autochthonous minorities, the Republic of Slovenia is promoting, by means of international agreements, bilateral transport, postal and telecommunications connections with the areas inhabited by Slovene autochthonous minorities and is striving for a reduction of tariffs to the internal level.

Resolution on Relations with Slovenes Abroad

(Official Gazette of the Republic of Slovenia, No. 7/2002)

- Given the fact that that a considerable portion of the Slovene national body lives outside the borders of the Republic of Slovenia;
- considering Article 5 of the Constitution of the Republic of Slovenia which emphasizes responsibility toward Slovene emigrants and migrant workers and the enhancement of their contacts with the homeland, and which thereby defines the relationship with Slovenes living outside the Republic of Slovenia as its permanent and active obligation;
- with the firm intention that the Republic of Slovenia contribute to the preservation of the Slovene identity, language, culture and cultural heritage and encourage cultural growth among Slovenes living outside its borders;
- expressing acknowledgement of all Slovenes outside the Republic of Slovenia who strive to preserve the Slovene identity and who contributed to the international recognition of the Republic of Slovenia after it had achieved independence; and
- fully respecting the differences and with a view turned to the future,

on the basis of Article 166 regarding Article 170 of its Rules of Procedure, the National Assembly of the Republic of Slovenia, at its session held on 23 January 2002, adopted the following

Resolution on the Relations with Slovenes Abroad

1. General

1) A considerable portion of the Slovene national body lives outside the borders of the Republic of Slovenia. The relationship between the Republic of Slovenia and Slovenes abroad is based on the constitutional principle of responsibility toward Slovenes living outside the Republic of Slovenia. The goal is the preservation and growth of the Slovene identity, language and culture, and to enable and enhance multilateral cooperation, particularly in cultural, educational, scientific, economic and other fields.

2) The resolution shall apply to Slovenes living outside the Republic of Slovenia other than those whose status is determined by the Resolution on the status of autochthonous Slovene minorities in neighbouring countries and the hereto related tasks of government and other bodies of the Republic of Slovenia (*Resolucija o položaju avtohtonih slovenskih manjšin v sosednjih državah in*

s tem povezanimi nalogami državnih in drugih dejavnikov Republike Slovenije) of 27 June 1996 (Official Gazette of the Republic of Slovenia, No. 35/96).

3) As regards cooperation and financial support, the Republic of Slovenia shall take into consideration the specific needs of Slovenes or Slovene communities in individual countries, and in this regard particularly encourage their self-initiated activities and fund raising for activities supporting the preservation and development of the Slovene identity.

2. Bodies in the Republic of Slovenia Responsible for Relations with Slovenes Abroad

1) The fundamental policy on cooperation of the Republic of Slovenia with Slovenes abroad shall be determined by the National Assembly. For dealing with this issue (together with the issue of the Slovenes living in n

ighbouring countries), a special working body shall be responsible - the Commission for Relations with Slovenes in Neighbouring and Other Countries, which shall deal with and submit proposals on adopting decisions in this field. Its competencies shall be regulated by National Assembly's decree.

2) Parliamentary parties shall endeavour to reach consensus regarding the basic principles of the policy of the Republic of Slovenia toward Slovenes abroad.

3) The Government of the Republic of Slovenia shall be responsible for the cooperation of the Republic of Slovenia with Slovenes abroad. The Ministry of Foreign Affairs and the Office for Slovenes Abroad as its constituent body shall undertake, in accordance with the Organization and Competence of Ministries Act, the tasks connected with monitoring and coordinating the activities of the ministries competent in the field of cooperation with Slovenes abroad.

4) The Government of the Republic of Slovenia shall submit to the National Assembly an annual report on the activities of the Republic of Slovenia in the field of cooperation with Slovenes abroad together with its proposed program for the following year. The proposed program shall include the budgetary framework for its implementation. The annual report shall be discussed by the National Assembly.

5) In cooperating with Slovenes abroad, it is necessary that government and other bodies act in a planned and harmonised manner. Coordination is necessary:

- between government bodies competent and responsible for cooperation with Slovenes abroad or in any way involved in maintaining contacts with them;
- between the government bodies and other institutions, including civil organizations that maintain contacts with Slovenes abroad and are financed from the budget of the Republic of Slovenia;
- between Slovenia (i.e. bodies and institutions referred to in paragraphs 1 and 2) and Slovenes abroad;
- among Slovenes living in individual countries or regions with the aim of supporting and encouraging the cooperation and joint action of Slovenes in individual countries, as well as joint and harmonized programs in matters that are of fundamental significance for the preservation and growth of the Slovene identity.

6) The competent bodies of the Republic of Slovenia shall in a suitable manner include in this cooperation important and representative factors from the fields of education, science, culture, economy and other areas. For this purpose, within the Government of the Republic of Slovenia a consultative body shall be established or the existing consultative body for Slovenes abroad enlarged.

7) Organizations and associations whose work includes cooperation with Slovenes abroad and that are financed from the budget of the Republic of Slovenia shall act in accordance with the basic policy of the Republic of Slovenia toward Slovenes abroad as determined by the National Assembly and implemented by the Government. Here it is necessary to aim at the rationality and efficiency of the work of these organizations.

3. Financial Support

1) The Republic of Slovenia shall financially support the activities of Slovenes abroad aimed at the preservation and growth of the Slovene identity, culture and language, and the preservation of cultural heritage. Funds shall be provided in the budget of the Republic of Slovenia through the Office for Slovenes Abroad. Funds intended for cultural cooperation, education and science shall be provided through the Ministry of Culture and the Ministry of Education, Science and Sport, funds for the support of the media activities shall be provided through the Government Public Relations and Media Office and the Ministry of Information Society, whereas funds for the promotion of economic cooperation shall be provided through the Ministry of Economy. Financial support is public.

2) The funds shall be allocated in accordance with the legal regulations of the Republic of Slovenia. The following principles shall be taken into account:

a) the principle of preserving and developing Slovene communities abroad and of strengthening national consciousness – this represents the fundamental basis for assisting Slovenes abroad and therefore the Republic of Slovenia shall support programs that influence the preservation and development of the Slovene identity and strengthen national consciousness;

b) the principle of a specific approach to individual Slovene communities – it is necessary to take into consideration the diversity of the actual situation, circumstances, conditions, customs and other factors regarding Slovenes abroad that differ from one place to another;

c) the principle of preserving the most important institutions of Slovene communities – institutions that are the pillars of the existence of Slovene communities abroad may have, provided, of course, that the principles and agreements within the Slovene communities are fulfilled, special status with regard to the allocation of financial assistance;

d) the principle of preserving activities that have been conducted for a longer period – as a rule, special attention shall be devoted, taking into consideration the other principles and criteria, to activities that have been conducted for a longer period and the cessation of which for even a short period would harm the entire Slovene community (in that area);

e) the principle of linkage with Slovenia – for the existence of Slovene communities abroad it is essential to maintain links with the mother country;

f) the principle of rational use and supervision of the use of funds, as well as the transparency of all sources of financing – the prerequisite for receiving financial assistance from Slovenia shall be the rational and strictly targeted use of previously allocated funds from the Republic of Slovenia, regular reporting on their use, and the specification of all sources of financing.

4. Basic Fields of Cooperation of the Republic of Slovenia with Slovenes Abroad

1) It is necessary to ensure the inclusion of Slovenes abroad in the cultural, scientific, informational, economic, educational, sport and other fields of activity of the Slovene society. This is the responsibility of the consultative body referred to in section 2.6. The main purpose of this activity is that Slovenes abroad become incorporated in the uniform Slovene area – that they are actively included in the Slovene intellectual, cultural, economic, scientific and social potential or in its development.

2) Slovenia shall support activities that contribute to the preservation and strengthening of the identity of Slovenes abroad, and the programs for teaching the Slovene language and preserving and enhancing the Slovene culture. Particularly necessary are measures for preserving the

Slovene language among young people who are losing contact with their Slovene identity, and for the preservation of the archival material and other cultural heritage among Slovenes abroad.

4.1. Preservation of the Slovene Language and Education

The Republic of Slovenia shall strive to preserve and teach Slovene language among Slovenes abroad, both in Europe and other continents, at all levels: from preschool, primary and secondary education to higher and adult education.

The Ministry of Education, Science and Sport, together with the technical services of the Centre for Slovene as a Second/Foreign Language at the Faculty of Arts of Ljubljana, the National Education Institute, the Office for Slovenes Abroad, the two universities, and the research organizations in Slovenia shall:

- provide textbooks for learning Slovene, literary books, in particular juvenile books in Slovene, and other educational resources;
- prepare and implement programs for distance learning of Slovene (Internet);
- prepare program and tools for independent learning of Slovene (manuals, audio tapes, CDs);
- reconsider, if necessary, the curricula for learning Slovene abroad;
- organize training seminars for teachers;
- provide financial support for teachers;
- provide scholarships for the attendance of Slovenes abroad at summer schools of Slovene and at the all-year school of Slovene in Slovenia, and by conferring scholarships make it possible for them to study in Slovenia;
- support the establishment of Slovene lectureships at universities in the countries where Slovenes live, and the cooperation among the universities also in terms of visiting professors of Slovene language;
- involve Slovene researchers from abroad in the implementation of the national research program.

The Republic of Slovenia shall endeavour to conclude appropriate international agreements on supporting the preservation of the Slovene language and culture and on cooperation of other institutions in this field in the countries where such agreements have not yet been concluded, but the possibilities to do so exist, and to establish implementation programs based on such agreements.

Learning about Slovene emigrants and migrant workers abroad should be included in the appropriate measure in primary and secondary school curricula in the Republic of Slovenia.

4.2. Cultural Cooperation and Preserving Cultural Heritage

The Republic of Slovenia shall strive for the preservation of Slovene spiritual independence among Slovenes abroad and for the development of a common Slovene cultural area. In the framework of its regular programs, together with its constituent organs (Cultural Heritage Administration, Archives of the Republic of Slovenia) and the two public funds for the field of culture (Fund of the Republic of Slovenia for Cultural Activities, Film Fund of the Republic of Slovenia), the Ministry of Culture shall concern itself with the cultural activities of Slovenes abroad, the preservation of the common cultural heritage, and the mutual exchange of achievements in this field.

The Republic of Slovenia shall organize training programs for Slovenes abroad who work in archives and cultural fields (choirmasters, leaders of folklore groups, cultural animators, and others), encourage the inclusion of the cultural and artistic activity of Slovenes abroad in the cultural activity in Slovenia, and provide assistance in the supplement and systematic regulation of the library fund of central Slovene libraries abroad.

The Republic of Slovenia shall endeavour to conclude appropriate international agreements on supporting the preservation of the Slovene culture with countries in which such possibilities exist and to establish implementation programs based on such agreements.

4.3. Economy and science

The Republic of Slovenia shall devote special attention to strengthening economic links and cooperation in the field of science and the development of new technologies between Slovenes abroad and entities in Slovenia. It shall achieve these goals by enhancing economic cooperation through various measures of economic policy and the elimination of barriers.

The Republic of Slovenia shall support the meetings of Slovene economists and Slovene scientists from abroad, and shall endeavour to strengthen the relations and project cooperation with all Slovene scientists abroad, also in terms of their expert involvement in bilateral or multilateral programs initiated by Slovenia. The Government of the Republic of Slovenia shall facilitate and encourage the cooperation of Slovene scientists abroad in national research projects and scientific meetings, and shall prepare a program to attract and involve young scientists of Slovene descent in Slovene scientific institutions or regular cooperation.

4.4. Informing

The Republic of Slovenia shall endeavour to provide access to information and the integration and cooperation in the field of informing, both in providing information to Slovenes abroad regarding the events in the Republic of Slovenia and the information regarding Slovenes abroad in Slovenia. Special attention shall be devoted to the use of modern electronic informing.

Every third year, the Office for Slovenes Abroad in cooperation with the Government Public Relations and Media Office and the Ministry of Information Society shall prepare a seminar for journalists of the Slovene media abroad. Through this it shall encourage the preservation of the Slovene language and the promotion of less expensive and more modern means of communication. The Government of the Republic of Slovenia shall encourage the work of Slovene media abroad according to the efficiency and rationality of their operation and taking into consideration the principles outlined in section 3.2 of this Resolution.

4.5. Repatriation, citizenship and status without citizenship

It is in the interest of the Republic of Slovenia that Slovenes living abroad and their descendants return to Slovenia. Special attention shall be devoted to those who might contribute to the development of Slovenia.

The state bodies of the Republic of Slovenia shall provide Slovenes abroad with appropriate information about returning to the homeland and implement the facilitation prescribed by law. For this purpose, the Office for Slovenes Abroad, the Government Public Relations and Media Office and the Ministry of Information Society shall prepare an informative brochure. This information must also be available at the diplomatic and consular offices of the Republic of Slovenia abroad. Facilitation should include the simplification of procedures such as nostrification of diplomas and others.

The Republic of Slovenia shall facilitate the return of Slovenes living in countries in severe political or economic crisis to the homeland.

It is in the interest of the Republic of Slovenia that persons of Slovene origin who have an active link with Slovenia and wish to acquire Slovene citizenship have the opportunity to do so.

A normative framework regulating the special rights and privileges of Slovenes without Slovene citizenship shall be prepared.

4.6. Participation in elections

The Republic of Slovenia shall enable Slovene citizens with permanent residence abroad to participate in elections and shall endeavour to eliminate difficulties Slovene citizens living abroad have encountered in executing their right to vote.

The National Electoral Commission in cooperation with the Ministry of Foreign Affairs and diplomatic and consular representative offices abroad shall ensure the timely informing of Slovenes abroad and their participation in the elections of the Republic of Slovenia.

4.7. Participation in foreign policy

In arranging bilateral relations with individual countries in which Slovenes live, the Government of the Republic of Slovenia, taking into consideration their needs, shall endeavour to conclude agreements on social and health insurance, as well as other agreements referred to sections 4.1 and 4.2, particularly on the mutual recognition of diplomas and other qualification certificates. The Republic of Slovenia shall endeavour to maintain or establish honorary consulates of the Republic of Slovenia in countries in which Slovenes live, and to involve Slovenes abroad in the work and activities of diplomatic, consular and other representative offices of the Republic of Slovenia.

According to the policy, defined by the Constitution and further explained in both resolutions, several laws include different provisions conferring special benefits or preferential treatment to the Slovenes living abroad.

The existence and protection of the Slovene minorities in the neighbouring countries is guaranteed in international law. The most significant for the status of the Slovene minority in Italy is Article 8 of Osimo Agreement (bilateral agreement, 1976) and the whole preamble referring to universal and European documents. The Austrian State Treaty (multilateral treaty, 1955), serves as a basis for the comprehensive protection of the Slovene minority in the regions of Carinthia and Styria. The status of Slovenes in the Raba region in Hungary is governed by a Convention on providing special rights for the Slovenian minority living in the Republic of Hungary and for the Hungarian minority living in the Republic of Slovenia (bilateral agreement, 1992).

Activities of the Ministry of Education, Science and Sport in the field of the education of the Slovene national minorities in neighbouring countries are based on the following agreements:

- Agreement on cooperation in the field of education, culture, science and technology between Government of the Republic of Slovenia and Government of the Italian Republic (2000)
- Agreement on cooperation in the field of culture, education and science between the Republic of Slovenia and Republic of Hungary (1992)
- Agreement on cooperation in the field of culture, education and science between the Government of the Republic of Slovenia and Republic of Austria (2001).

Some other bilateral agreements with countries where Slovenes living abroad reside, include different provisions conferring benefits or preferential treatment to them.

26. Law No. 70/1997 from 14. February 1997 on Expatriate Slovaks and Changing and Complementing Some Laws

The National council of the Slovak Republic has decided by this law:

Art. I.

§ 1. Subject of the law

This law regulates the status of expatriate Slovaks as well as their rights and duties in the territory of the Slovak Republic. It also defines the process for recognizing Expatriate Slovak Status and the competencies of the different state administration central bodies regarding Expatriate Slovaks.

§ 2. Expatriate Slovak

(1) An Expatriate Slovak is a person, to whom expatriate status has been recognized in conformity with this law.

(2) According to this law, Slovak Expatriate Status can be recognized to an individual without Slovak citizenship, if he/she has Slovak nationality or Slovak ethnic origin and Slovak cultural and language awareness.

(3) For the aim of this law, a person applying for recognition of Slovak Expatriate Status (further on 'applicant'), has Slovak ethnic origin, if he/she or any of his direct ancestors up to the third generation had Slovak nationality.

(4) Applicants shall prove his/her Slovak nationality or Slovak ethnic origin presenting a supporting document. The main supporting documents are the applicant's birth certificate, baptism certificate, registry office statement, proof of nationality or permanent residence permit.

(5) Applicants, who cannot present one of the documents mentioned in chapter 4, can identify themselves by a written testimony from the Slovak countrymen organization in the applicant's place of residence, or failing him, by the testimony of at least two Slovak Expatriates living in the applicant's country of residence.

(6) For the purpose of this law, an applicant has Slovak cultural and language awareness if he/she has at least passive knowledge of the Slovak language and basic knowledge of Slovak culture or declares himself/herself actively for the Slovak ethnic.

(7) Applicants shall document their Slovak cultural and language awareness by the results of their present activities, by testimony of the Slovak countrymen organization active in the place of residence of the applicant, or failing him, by the testimony of at least two Expatriate Slovaks living in the applicant's country of residence.

§ 3. Applications for Recognition of Slovak Expatriate Status

(1) Applicants shall submit a written application for recognition of the Slovak Expatriate Status at the Foreign Affairs of the Slovak Republic (further on 'MFA'), or abroad at the mission or the consular office of the Slovak Republic (further on 'mission').

(2) Applications for recognition of Slovak Expatriate Status must be supported by documents proving that the applicant meets the requirements specified in § 2 para. 2,5 and 7; that in his/her country of residence, the applicant has not committed any act that is deemed by the laws of the Slovak Republic to be an intentional offense Republic (further on only 'intentional offense') and for which the applicant has been also legally sentenced; and that the applicant does not suffer from any contagious disease, the spread of which is deemed by the law to be an offense.¹

(3) MFA shall decide on the application within 60 days from submission. In case the application is accepted, MFA, through the respective mission of the Slovak Republic, shall issue the applicant a document (further on 'Expatriate card'), identifying him/her as a Slovak Expatriate. No separate decree on the recognition of Slovak Expatriate Status will be issued to accepted applicants.

§ 4. Expatriate card

(1) The Expatriate card contains information on the identity of the holder, especially his/her forename, family name, date of birth, citizenship and permanent address. At the applicant's request it is possible to include in the Expatriate card the forename, family name and date of birth of his/her children (also adopted) under 15 years of age, if this is possible according to international agreements binding the Slovak Republic. The advantages that derive from this law concern also the applicant's children under 15 years of age included in the Expatriate card of a Slovak Expatriate.

(2) Expatriate cards are valid indefinitely. Expatriate cards are valid only together with one of the person's valid identification document. The Expatriate card is issued in order to give the holder the possibility to make use of the advantages deriving from this law for an indefinite period of time.

¹ § 189 of the Criminal code. The law of the National Council of the Slovak Republic No. 272/1994 Coll. on Health Protection of the Population in the wording of the law of the National Council of the Slovak Republic No. 222/1996 Coll. The ordinance of the Ministry of Justice of the Slovak Republic No. 105 1987 Coll., defining the diseases considered to be contagious in the sense of the Criminal code.

(3) The holder of an Expatriate card is responsible for the accuracy of the information it includes. The holder of the Expatriate card has to give MFA notice of any changes in his forename, family name, citizenship and permanent address, and MFA shall issue him/her a new Expatriate card.

(4) Expatriate cards are not issued to persons:

- a) under 15 years of age,
- b) who carry out activities which go against the interests of the Slovak Republic and which go present signs of offenses included in the Criminal code,²
- c) who have committed an international offense.

(5) A person, who in the territory of the Slovak Republic commits an intentional offense for which he/she is deported, loses Slovak Expatriate Status.³

§ 5. Entrance and Stay of Expatriates in the Territory of the Slovak Republic

(1) Expatriates entering the territory of the Slovak Republic do not require written invitation nor visa, if this is possible according to bilateral interstate agreements.

(2) Expatriates have the right to stay for a long period in the territory of the Slovak Republic under the conditions defined in the pertinent regulation.⁴

(3) Expatriates shall apply for permanent residence in the territory of the Slovak Republic at the respective Slovak mission abroad or at the competent department of the Police Forces in the Slovak Republic.

§ 6. Expatriates' Rights in the Territory of the Slovak Republic

(1) During their stay in the territory of the Slovak Republic expatriates have the right to

- a) apply for admission⁵ at any educational institution in the territory of the Slovak Republic,
- b) apply for employment without working permit and without permanent residence status in the territory of the Slovak Republic,⁶
- c) apply for state citizenship of the Slovak Republic for outstanding personality reasons,⁷
- d) request exception from Social Security payments abroad,⁸ if he/she meets the conditions giving him/her the right for their provision in the territory of the Slovak Republic.

(2) Expatriates in the territory of the Slovak Republic have the right to own and acquire real estate under the conditions established in the pertinent regulation.⁹

(3) In conformity with the pertinent regulations¹⁰ the state provides,

- a) 50 percent fares reduction in local public transport as well as in regular domestic railroad and bus transport to retired expatriates or expatriates with disability pension,
- b) free transportation in local public transport as well as in domestic railroad and bus transport to expatriates of over 70 years of age.

Competencies of State Administration Central Bodies

2 The Criminal code in the wording of later regulations.

3 § 27 letter h) of the Criminal code.

4 § 6 of the law of the National Council of the Slovak Republic No. 73/1995 Coll. on Stay of Foreigners in the Territory of the Slovak Republic.

5 Law No. 29/1984 Coll. on Basic and Secondary School System (School Act) in the wording of later regulations. Law No. 172/1990 Coll. on universities in the wording of later regulations.

6 § 116 para 2 of the law of the National Council of the Slovak Republic No. 387/1996 Coll. on Employment in the wording of later regulations..

7 § 7 para 3 letter b) of the law of the National Council of the Slovak Republic No. 40/1993 Coll. on State Citizenship of the Slovak Republic

8 § 103 of Law No. 100/1988 Coll. on Social Security in the wording of later regulations

9 § 19 of the law of the National Council of the Slovak Republic No. 202/1995 Coll. Foreign Exchange Law and the Law changing and complementing law of the Slovak National Council No. 372/1990 Coll. on Offenses in the wording of later regulations.

10 § 20 of the law of the National Council of the Slovak Republic No. 258/1993 Coll. on Railroads of the Slovak Republic § 30 of the law of the National Council of the Slovak Republic No. 164/1996 Coll. on Ways and changing law No. 455/1991 Coll. on Self-employment (Self-Employers law) in the wording of later regulations. § 15 of the law of the National Council of the Slovak Republic No. 168/1996 Coll. on Road Transport.

§ 7

The Ministry of Foreign Affairs of the Slovak Republic

- a) decides on the recognition of Slovak Expatriate Status and on its cancelation,
- b) runs an evidence of Expatriate card holders,
- c) directs and coordinates the elaboration and execution of the state foreign policy in relation to Slovak Expatriates,
- d) elaborates the long-term state policy conception in relation to Slovak Expatriates in cooperation with the state administration central bodies.

§ 8

The Ministry of Culture of the Slovak Republic

- a) coordinates and provides assistance by state and non-state institutions of the Slovak Republic to Slovak Expatriates oriented to maintain their Slovak identity,
- b) coordinates and secures documentary activities providing Slovak Expatriates information on the happenings in Slovakia by means of the State Information System.

§ 9

Other State Administration Central Bodies cooperate in the elaboration and execution of the state policy of the Slovak Republic in relation to Slovak Expatriates within their field of competence.¹¹

§ 10 Common and Final Resolutions

- (1) In case not otherwise established by this law, this law is to be enforced in conformity with the generally valid regulations on administration.¹²
- (2) MFA does not apply any fee to applications for recognition of Slovak Expatriate Status.¹³
- (3) according to § 7 para. 1, applications are to be submitted in official forms issued by MFA.

Art. II

The law of the National Council of the Slovak Republic No. 40/1993 Coll. on State Citizenship of the Slovak Republic is complemented as follows:

At the end of § 7 para. 3 letter b) a comma is introduced and the following words added: ‘or a person to whom Slovak Expatriate Status has been recognized.^{4a)}’

The wording of the footnote to reference ^{4a)} is:

^{4a)} *Law No. 70/1997 Coll. on Slovak Expatriates and changing and complementing some laws.*’

Art. III

The law of the National Council of the Slovak Republic No. 387/1996 Coll. on employment is complemented as follows:

at the end of § 116 para. 2 a comma and the following words are added: ‘or if it is the case of a Slovak Expatriate.^{2a)}’

The wording of the footnote to reference ^{2a)} is:

^{2a)} *Law No. 70/1997 Coll. on Slovak Expatriates and changing and complementing some laws.*’

Art. IV

The law of the National Council of the Slovak Republic No. 73/1995 Coll. on the Stay of Foreigners in the Territory of the Slovak Republic is complemented as follows:

at the end of § 6 para. 1 the following sentence is added:

‘a person, who has been recognized Slovak Expatriate Status does not require permanent residence permit.^{4a)}’

The wording of the footnote to reference ^{4a)} is:

^{4a)} *Law No. 70/1997 Coll. on Slovak Expatriates and changing and complementing some laws.*’

11 The law of the National Council of the Slovak Republic No. 347/1990 Coll. on the Organization of Ministries and Other State Administration Central Bodies of the Slovak Republic in the wording of later regulations.

12 Law No. 71/1967 Coll. on Administration (Administration Order).

13 § 4 para. 1 letter c) of the law of the National Council of the Slovak Republic No. 145/1995 Coll. on Administration Fees in the wording of later regulations.

Art. V

The law of the National Council of the Slovak Republic No. 145/1995 Coll. on Administration Fees in the wording of the law of the National Council of the Slovak Republic No. 123/1996 Coll. and of the law of the National Council of the Slovak Republic No. 224/1996 Coll. is complemented as follows:

In § 4 para. 1 letter b) a comma replaces the period and paragraph 1 is complemented by letter c), the wording of which is:

'c) a person, who has been recognized Slovak Expatriate Status.^{2a)}

The wording of the footnote to reference^{2a)} is:

'^{2a)} Law No. 70/1997 Coll. on Slovak Expatriate and changing and complementing some laws.'

Art. VI

This law comes in force July 5, 1997.

Michal Kováč in his own hand

Ivan Gašparovič in his own hand

Vladimír Mečiar in his own hand

27. Law 150/1998 Regarding the Support Granted to the Romanian Communities from All Over the World

The Romanian Parliament passes this law.

Art. 1

(1) A Fund available to the prime minister is constituted, in order to ensure the financing of the activities supporting the Romanian communities on the territory of other states.

(2) The Fund available to the prime minister in order to support the Romanian communities from all over the world is approved by the annual laws of the state budget.

Art. 2

Such budgetary resources are mainly used for:

- a) activities supporting the schools and education in the Romanian language;
- b) cultural and artistic activities;
- c) activities for youth;
- d) individual aid in special medical cases;
- e) civic education activities;
- f) other cases provided in the collaboration programs.

Art. 3

(1) The Inter-ministry Council for the Support of Romanian Communities from All Over the World is established, with the approval of the prime minister. Such council endorses the activities to be financed with priority out of the fund established according to art. 1. These activities shall be proposed by the institutions initiating such activities, through the ministries in the field.

(2) The Inter-ministry Council shall meet from time to time and shall comprise representatives of the Ministry of National Education, the Ministry of Foreign Affairs, the Ministry of Culture, the Ministry of Finance, the General Secretariat of the Government and the State Secretariat for Cults. The representative of the Romanian Cultural Foundation has a guest status. The endorsement of the inter-ministry council is consultative.

Art. 4

(1) For the year 1998, the financial resources required for the constitution of the fund shall be ensured by ROL 5 billions out of the state budget, without affecting the relevant ministries involved.

(2) The fund shall be completed with the financial resources which may be allocated by the law regarding the rectification of the state budget for the year 1998.

Art. 5

(1) The Center 'Eudoxiu Hurmuzachi' for the Romanians all over the world is established, hereinafter called *the center*; a public institution with legal personality, subordinated to the Ministry of National Education, having its principal office in Bucharest.

(2) The duties of the center refer to the fulfillment of the activities provided herein.

Art. 6

The center is organized and operates according to its own regulation.

(2) The organization and operation regulation, the number of employees required for the development of the activity, the organizational structure, the position status and the remuneration of the center's staff shall be approved by order of the minister of national education.

(3) The general management of the center's activity is ensured by the general manager, who must be a member of the Romanian Academy or a renowned cultural personality or a professor, appointed by order of the minister of national education.

Art. 7

The center also has the role of drafting and coordinating the training programs for the Romanian youth from all over the world, in order for them to be admitted at all levels of educational institutions in Romania.

Art. 8

(1) The center's operation and investment costs shall be financed out of the state budget, by the Ministry of National Education.

(2) The funds required by the center may come out of sponsorships, donations, assistance granted by international bodies, as well as out of incomes resulting from performing scientific research agreements, specialized assistance or consulting agreements and from other legal sources.

(3) In order to cover the expenses required for the appropriate organization and operation of the center in 1998, the amount of ROL 2 billions shall be allocated out of the Budgetary Reserve Fund available to the Government.

Art. 9

The students and attendants of the center may receive scholarships from the Romanian state and may benefit of free accommodation in students' hostels, for the duration of their studies in Romania. The Government may also grant other forms of support which are deemed necessary.

Art. 10

(1) The local public administration authorities, from the territorial-administrative units where activities organized or coordinated by the center take place, shall grant the necessary assistance in order to freely ensure appropriate areas and equipment for the duration of the respective activities.

(2) In order to carry out the center's object of activity, the building located in Crevedia village, Dambovita county, which is the public property of the state, managed by the Ministry of National Education and used by the National School of Political and Administrative Studies, together with the land and any other related movable or immovable goods, according to the inventory of 31 December 1997, shall be exclusively used by the center.

(3) The administrative staff of the real property located in Crevedia village, Dambovita county, may be transferred from the National School of Political and Administrative Studies to the center, according to art. 6 par. (2).

Art. 11

Any contrary provision hereto shall be repealed upon the coming into force of this law.

This law was passed by the Chamber of Deputies during the meeting of 7 July 1998, in compliance with the provisions of art. 74 par. (2) of the Romanian Constitution.

For THE CHAIRMAN OF THE CHAMBER OF DEPUTIES VASILE LUPU

This law was passed by the Senate during the meeting of 7 July 1998, in compliance with the provisions of art. 74 par. (2) of the Romanian Constitution.

For THE CHAIRMAN OF THE SENATE CRISTIAN SORIN DUMITRESCU

Bucharest, 15 July 1998. No. 150.