

**Question for written answer E-012425/2013
to the Commission**
Rule 117
Edit Bauer (PPE)

Subject: Language regulations concerning programme broadcasting in Slovakia

The National Council of the Slovak Republic approved on 22 October 2013 an amendment to the law on programme broadcasting in response to the objections raised by the Commission. The Commission objected to Slovakia's current language regulations concerning programme broadcasting, based on an official licence being granted, citing the rights provided for in Article 56 of the Treaty on the Functioning of the European Union (TFEU). According to the adopted law, broadcasters which have a licence to broadcast programmes in any EU official language (other than Slovak) and wish to provide their programme offering to citizens from other EU states resident in Slovakia will enjoy from next year, as an exception, an exemption from being obliged to use the State language.

However, according to the amendment now approved, the Slovak Frequency Council may refuse to grant a licence if the application relates to regional or local broadcasting or if the regional broadcasting offering in the State language is inadequate in the relevant area. According to the Ministry of Culture, this 'will guarantee Slovak citizens the right to information about the events going on in their region or town in the State language'. However, this law does not specify what is regarded as adequate and which criteria are used to determine this. Furthermore, the law states that Frequency Council meetings where broadcasting licences are discussed, as well as the minutes drawn up at the meeting, are not available to the public.

1. Does the restriction on granting licences comply with the provisions of Article 56 of TFEU and the Commission's previous objections?

However, the obligation under this law that programmes broadcast in the minority language must be subtitled or dubbed in the State language – at the broadcaster's expense – is still in force, which imposes public service functions on private broadcasters.

2. In the Commission's view, is this regulation not discriminatory and actually makes a distinction between immigrant EU citizens and Slovakia's non-ethnic Slovak citizens?

3. The Council of Europe's Venice Commission objected in its opinion issued in October 2010 to the obligation with regard to the State language being imposed on TV broadcasters transmitting programmes in minority languages in Slovakia, entailing additional financial cost, stating that '...if the Slovak authorities wish to have total bilingualism, it might be appropriate that the State itself should provide adequate financial funds for the dubbing or subtitling of programmes'. The obligation in question still applies since then, and the State does not provide any financial compensation either to ease the additional costs incurred by the above-mentioned services. Is this obligation compatible with EU law?