

**Question for written answer P-9888/2010
to the Commission**
Rule 117
Edit Bauer (PPE)

Subject: Breach of fundamental principles of the European Union

In recent months, the Slovak Trade Inspectorate imposed a fine on the weekly MY – Nitrianske noviny and the Council for Broadcasting and Retransmission imposed a fine on the company COM-Media s.r.o. Both cases involved the dissemination of commercial advertising in the Hungarian language, whereas in current practice no sanctions have been imposed on the publication of information in, for example, English or German.

The Slovak Trade Inspectorate imposed a fine on the weekly MY for publishing an advert in Hungarian only, on the basis of Paragraph 3(6) of Act No 147/2001 Coll. on advertising, which stipulates that 'advertising must comply with the requirements for language addressing the public and must respect language culture principles, grammar and spelling rules, the pronunciation rules of the Slovak language and established professional terminology' with reference to Act No 270/1995 Coll. on the state language.

The second case also concerned commercial advertising broadcast on regional television, which carried a regional weekly programme mainly in Hungarian, with advertising for products and services offered by partner firms from the neighbouring country, Hungary. The Council for Broadcasting and Retransmission imposed a fine for infringement of Paragraph 16(3)(e) of Act No 308/2000 Coll. on broadcasting and retransmission. Both cases involved paid advertising aimed at a target group of Hungarian-speaking readers or spectators.

The imposition of sanctions for publishing advertisements in a language other than the state language not only constitutes a breach of the rights of the members of the half-million-strong national minority in Slovakia, but also raises serious concerns that it is a breach of the basic principles on which the European Union is founded, viz. a breach of the principle of free movement of goods and services.

Does the European Commission not consider this action to be a breach of the principle of free movement of goods (Title II TFEU) and the free movement of persons, services and capital (Title IV TFEU)?

If fundamental principles of the European Union have been breached, will the Commission consider launching a procedure for infringement of EU law?