

**Priority question for written answer P-003108/2022
to the Commission**

Rule 138

Loránt Vincze (PPE)

Subject: Alleged violation of the equal treatment principle in Slovakia by mandatory programme subtitling in Slovak

On the basis of questions (E-012425-13, E-001417-15, E-002875/2016, E-000753-17), the Commission examined the legal framework in Slovakia regarding access to broadcasting services, including the introduction of mandatory Slovak language programme subtitling to protect the State language and other restrictions.

In August 2022, a new law amendment regarding programme subtitling took effect,¹ bringing back a situation already objected to by the Commission in 2013. The exception for the official languages of the EU, applicable based on a licence for regional or local broadcasting – and previously included in the law at the request of the Commission – was removed. The amended legislation presumably violates the equal treatment principle; for all service providers it imposes the public service of subtitling all programmes broadcast in a language other than Slovak, without offering financial support, making it impossible to broadcast live, for example. The provisions place unreasonable restrictions on operators broadcasting in other languages and were met with criticism from the Venice Commission as well.

1. To what extent does the current legislative framework comply with the objectives of the Audiovisual Media Services Directive and with EU case law, which require that any restrictions imposed by Member States to protect and promote one or more official languages must be non-discriminatory, appropriate and necessary to achieve the objective?
2. Is the amended legislation in line with Article 21 of the Charter of Fundamental Rights of the European Union?
3. What action is the Commission taking to review and eliminate the discriminatory situation that has reappeared within a few years?

¹ Zákon z 22. júna 2022 o mediálnych službách a o zmene a doplnení niektorých zákonov (zákon o mediálnych službách) Čl. III Zákon Národnej rady Slovenskej republiky č. 270/1995 Z. z. o štátnom jazyku Slovenskej republiky v znení nálezu Ústavného súdu Slovenskej republiky č. 260/1997 Z. z., zákona č. 5/1999 Z. z., zákona č. 184/1999 Z. z., zákona č. 24/2007 Z. z., zákona č. 318/2009 Z. z., zákona č. 35/2011 Z. z., zákona č. 204/2011 Z. z., zákona č. 373/2013 Z. z. a zákona č. 125/2016 Z. z. sa mení takto: 1. V § 5 odsek 3 znie: „(3) Ustanovenia odsekov 1 a 2 sa nevzťahujú na vysielateľa rozhlasovej programovej služby s autorizáciou podľa osobitného predpisu, 11b) ktorý vysiela v jazyku národnostných menšín alebo v úradnom jazyku Európskej únie, ktorý nie je štátnym jazykom Slovenskej republiky.“