

## SLOVENE MINORITY IN ITALY THROUGH THE MONITORING PROCESS OF THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

*The Article contains the overview of the whole monitoring process of the Framework Convention for the Protection of National Minorities, referring to the Slovene minority in Italy. It starts with the review of the State Report, continues with the examination of all the references to the Slovene minority through the steps of the monitoring process, and ends with the adoption of the Conclusions and Recommendations of the Committee of Ministers. The process should be considered an interesting Case Study, as it contains reference to bilateral agreements and domestic law, as well as to the Framework Convention. The involvement of the diplomacy of the Republic of Slovenia adds to the process further international dimension. In the conclusion the author states that due to the fact that during the monitoring process Italy still discussed and finally adopted the new legislation, the real evaluation of the implementation of the FCNM will only be possible later on, after Italy has produced its second report.*

**Keywords:** Italy, Slovene minority, Framework Convention for the Protection of National Minorities

**SLOVENSKA MANJŠINA V ITALIJI V LUČI POSTOPKA PREVERJANJA URESNIČEVANJA OKVIRNE KONVENCIJE ZA ZAŠČITO NARODNIH MANJŠIN**

*Članek vsebuje pregled celotnega postopka preverjanja uresničevanja Okvirne konvencije za zaščito narodnih manjšin s strani Italije z ozirom na slovensko manjšino v Italiji. Pregled se začne s predstavitvijo poročila italijanske vlade, vsebuje oceno vseh stopenj postopka preverjanja in se konča z odobritvijo sklepov in priporočil Odbora ministrov Sveta Evrope. Gre za zanimiv primer preverjanja uresničevanja listine, predvsem zaradi prepletanja notranjega in mednarodnega dvostranskega prava, seveda poleg izrecnega opiranj na okvirno konvencijo. Vključitev diplomacije Republike Slovenije zagotavlja postopku dodatno mednarodno dimenzijo. Zanimiv je tudi zaključek: ker je v tej fazi Italija šele dopolnjevala svojo zakonodajo bo treba za oceno resničnega izvajanja počakati na drugo poročilo in torej na nadaljevanje postopka.*

**Ključne besede:** : Italija, Slovenci, Okvirna konvencija za zaščito narodnih manjšin

This Article deals with the implementation of the Council of Europe Framework Convention for the Protection of National Minorities (FCNM)<sup>1</sup> in Italy, referring to the Slovene minority in the Italian Autonomous Region Friuli - Venezia Giulia. The Article is based on existing documentation, mostly available on-line and on some newspaper articles.

The Article will review the activities starting with the Italian State report, forwarded by the Italian government to the Council of Europe on 3 May 1999, and it will end with the adoption of the Resolution on the implementation, adopted by the Committee of Ministers of Council of Europe on the 3 July 2002.

The time between these two events was crucial for the Slovene minority in Italy. In the year 2001 the Italian parliament adopted the new legislation for the protection of the Slovene minority in Italy, that dinamised the relationship with the Council of Europe as well. In January 2002 the decision of the Italian government to change some rules related to bilingual identity cards caused further troubles and involved the diplomacy of the Republic of Slovenia as well.

The process of evaluation of Italian implementation of the FCNM should be therefore considered an interesting case study, involving European, bilateral and domestic juridical dimension.

One more note on the terminology is needed: the FCNM refers to National minorities, while Italy refers to Linguistic minorities, the term contained in Art. 6 of the Italian Constitution. (The Republic shall safeguard linguistic minorities by means of special provisions).

## 1. REPORT SUBMITTED BY ITALY

Italy Ratified the FCNM with Law 302 of 28 August 1997 and it deposited the ratification instrument with the Council of Europe on 3 November 1997. The FCNM entered into force in Italy on 3rd March 1998.

The report submitted by Italy pursuant to Art. 25, paragraph 1 of the Framework Convention for the protection of national Minorities<sup>2</sup> was received by the Council of Europe on 3 May 1999. It was drafted in accordance with the principles established by the Council of Europe and it examines the implementation of the FCNM paragraph by paragraph.

\* \* \*

<sup>1</sup> The text of the Convention and details on the procedure are (25 November 2002) available at the web site: <http://conventions.coe.int/Treaty/EN/WhatYouWant.asp?NT=157&CM=1&DF=>

<sup>2</sup> For the whole text see (25 November 2002): <http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/1999/italy/rapportitalie.htm>

In this Article only specific issues referred to Slovene minority in Italy will be considered. Anyway it has to be stressed that at that time the Italian parliament has not yet adopted any general legislation on protection of linguistic minorities. Thus the report is vague and refers to the future legislation rather than to the already existing protection.

The introductory chapter on Italy's policy concerning the protection of national minorities contains several paragraphs on the "Slovenian-language minority in Friuli-Venezia Giulia". It is worthwhile to report the whole text here-after<sup>3</sup>:

*The protection of the Slovenian minority of Friuli-Venezia Giulia is also international in nature, as a result of the Second World War, and in particular of the Special Statute on Trieste annexed to the London Memorandum of 1954.*

*This protection is currently guaranteed by legislation, especially in the sphere of education and culture, which extends it beyond Trieste, as originally envisaged, to the Province of Gorizia, and by the Osimo Agreement signed by Italy and the Socialist Federal Republic of Yugoslavia on 10 November 1975.*

*The legislative measures concerning the Slovenian minority are made up of a series of provisions originating in international treaties, such as the London Memorandum, and in domestic law, where a different level of protection is afforded to Slovenian-speaking persons residing in the Provinces of Trieste, Gorizia and Udine with a profoundly different linguistic, cultural and administrative history.*

*The Memorandum of Understanding signed in London in 1954 and the Special Statute annexed thereto already contained provisions designed to protect the Yugoslav minority in the Province of Trieste, the former Zone A, and the Italian minority in the former Zone B.*

*The Special Statute annexed to the Memorandum of Understanding consists of eight articles implementing the preamble, whereby the Italian and Yugoslav Governments reciprocally undertake "to ensure human rights and fundamental freedoms without discrimination on the grounds of race, sex, language or religion in the areas under their administration ...".*

*In Italy the undertakings embodied in that Statute are implemented by means of legislative and administrative measures.*

*Article 5 enshrines inter alia the right of the minorities to use their own language in their official relations with the administrative and judicial authorities and to receive replies (either directly or through an interpreter) in the same language.*

\* \* \*

<sup>3</sup> All the text in Italic have been copied from the English version of original documents.

*In addition, public notices, municipal and prefectural decrees and court decisions must be accompanied by a translation.*

*The article further requires that the names of localities and streets must be in both languages, as must the inscriptions on all public buildings and, in particular, the names and signs of the electoral districts of the municipality of Trieste and other municipalities where the minority community represents at least a quarter of the total population.*

*By the Treaty of Osimo, which was signed by Italy and Yugoslavia on 10 November 1975 (and subsequently ratified and implemented by Law No 73 of 14 March 1977), the two Contracting Parties decided that the guarantee governed by international law provided for in the Special Statute annexed to the 1954 Memorandum would cease to have effect and that the legal protection of the Italian and Yugoslav minority groups would be provided by new legislation to be adopted within the domestic legal systems.*

*Article 8 is worded as follows: "Each Party declares that when the Special Statute annexed to the Memorandum of Understanding signed in London on 5 October 1954 ceases to have effect it will maintain in force the national measures already adopted on the basis of that Memorandum and that it will ensure, under its national law, that the level of protection afforded to both ethnic groups as provided for in the repealed Special Statute is maintained".*

*Furthermore, in the fourth recital in the preamble to the Treaty the Parties confirm "their loyalty to the principle of the maximum possible protection of citizens belonging to ethnic minorities, a principle which is laid down in their Constitutions and their legal systems and which each Party shall implement autonomously, being guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the International Covenants on Human Rights".*

*Whereas the bilateral agreements governed by international law specifically relate to a single region, Zone A of the former Free Territory of Trieste, the Treaty of Osimo does not specify the geographical area to which it applies and therefore lends itself to a flexible interpretation of its geographical scope.*

*In this sphere, the Italian administrative courts and the Constitutional Court have delivered two fundamental decisions (No 28 of 20 January 1982 and No 62 of 5 and 24 February 1992) defining the concept of minimum protection with specific reference to the Slovenian minority.*

*With a view to introducing a general and exhaustive set of rules for the overall protection of the Slovenian minority as regards all aspects of the life of the*

*community, a number of Bills are currently being examined by the Chamber of Deputies; these Bills have already been combined in a Consolidated Text laying down "Rules for the protection of the Slovenian-language minority of the Region of Friuli-Venezia Giulia", on which the Government authorities are to give their opinion.*

*The language and culture of the Slovenian population are also among the languages and cultures to be protected by the Consolidated Text of Bills concerning all the historic linguistic minorities which has already been approved by the Chamber of Deputies and is due to be definitively adopted in the near future.*

Furthermore the report lists the regional legislation of several Italian regions referring to linguistic minorities. One text refers to the Slovene minority in Italy: the Regional Law No. 46 of 5 September 1991 of the Region Friuli Venezia Giulia gives effect to the section 14 of the National Law No. 19/1991, which allocates finances to the Region for action in favour of the Slovene minority, particularly for its cultural activities as:

- (a) libraries and cultural and scientific research institutions, in particular the "Slovenian National Library" and the Slovenian Research Institution (slo.ri);*
- (b) theatres and film institutes, principally the permanent Slovenian Theatre in Trieste;*
- (c) institutes and schools providing musical training, in particular the "Glasbena Matica" in Trieste and the "Komel" institute in Gorizia;*
- (d) other educational and training establishments and, in particular, student halls of residence in Trieste and Gorizia;*
- (e) local cultural associations and clubs.*

While reporting on the decisions taken by the Constitutional Court, the report states that *in particular, in its Judgment no. 28 of 1982, the Constitutional Court held that the Slovenians of the Province of Trieste had the status of recognised minority and defined the concept of minimum protection which, in the circumstances, consisted in the right for persons belonging to that minority to use their mother tongue, inter alia, in their relations with the local judicial authorities. This right therefore represents the minimum level of protection which must be guaranteed to a recognised minority.*

In the chapter related to the historical background the report contains the analytical overview of international treaties and agreements referred to the definition of the territory of Italy. Among others it states that after WWI the frontier



adopted with the treaty of Rapallo brought into Italy some 350.000 Slovenians. Afterwards it contains the chapter:

#### HISTORICAL BACKGROUND TO THE SLOVENIAN-LANGUAGE MINORITY

*The first Slovenians to be included in Italian territory as an ethnic and linguistic minority were the 35,000 inhabitants of Venetian or Friulian Slavia, ie the eastern part of the Province of Udine bordering on Slovenia. The Natisone Valleys, the Torre Valley and the Resia Valley already enjoyed a measure of autonomy as a frontier district at the time of the Republic of Venice.*

*In the plebiscite of 1866 these Slovenians voted overwhelmingly in favour of the annexation of Venetia, of which they formed part, by the Kingdom of Italy. Their support may be explained by the fact that the Kingdom of the House of Savoy promised certain rights which up to then had been denied by the Habsburg Empire.*

*After the First World War Italy acquired a territory which included almost one third of the entire Slovenian population. The Treaty of Rapallo of 12 November 1920 gave Italy the towns of Trieste and Gorizia, including the adjoining territories and a large strip of territory in what is now the Republic of Slovenia.*

*Subsequently the Canale Valley, in the north-east of the Province of Udine, close to the frontier between Italy, Slovenia and Austria, was also given to Italy.*

*The defeat of Germany, which after the armistice of 8 September 1943 had annexed these territories to the Third Reich, marked the beginning of a long period of instability along the entire frontier. The 1947 Peace Treaty gave a large part of the hinterland of Trieste and Gorizia to Italy. An Anglo-American Military Government administered Trieste and a small part of the surrounding territory, which constituted Zone A of the Free Territory of Trieste. Following the signature of the London Memorandum (1954) the administration of Zone A was assigned to Italy. The frontier was definitively established by the Osimo Agreements in 1975.*

*Today there are persons of Slovenian origin in the Province of Trieste (in the town and in all the municipalities); in the Province of Gorizia (in the town, in three municipalities with a very high proportion of Slovenians and in four municipalities with a modest proportion of Slovenians); in the Province of Udine, in the Natisone Valleys, the Torre Valley, the Resia Valley and the Canale Valley. During the Second World War a large group of Slovenians who had settled in the valleys of the Province of Udine moved to the Friulian plain for work reasons.*

In the Part II the Report are listed the articles of the FCNM and explained relevant activities of the Italian State. In some cases there are specific references to the Slovene minority.

Referring to Art. 3 of the FCNM the Italian government explains that there is no census by language in Italy; official figures of the consistence of National minorities do not exist. Nevertheless the numbers of the groups have been established *on the basis of studies and publications* even if the report stresses *that the figures ... are therefore purely indicative*. The table 16 reports that the approximate numbers of the Slovenians in the Provinces of Trieste, Gorizia and Udine is 60.000 / 80.000.

Referring to Art. 9 the report explains that, on the basis of agreements between the Government and RAI, the Italian State-owned broadcasting company RAI *broadcasts programmes in French, German, Ladin and Slovenian*, and it mentions the relevant legislation:

*The agreements make provision for a certain number of hours of radio and television programmes to be broadcast each day on the cultural life of the region and for the broadcasting of news bulletins on radio and television. In the three RAI studios in Aosta, Bolzano and Trieste, French-speaking, German-speaking and Slovenian-speaking editorial staff are responsible for making programmes directly in these languages. ( . . . ) In the Region of Friuli-Venezia Giulia broadcasts have thus far concerned the territories of the two provinces of Trieste and Gorizia, pursuant to specific agreements. ( . . . ) Law No 250 of 7 August 1990 made provision for subsidies to be granted to daily newspapers in French, Ladin, Slovenian and German in the autonomous regions of Valle d'Aosta, Friuli-Venezia Giulia and Trentino-Alto Adige.*

Further information has been referred to the subvention for the press: *As regards, in particular, the Slovenian-language newspapers, Law No 19 of 9 January 1991 provided in Section 14 for an increase of 50% in the subsidies previously determined by Law No 250/90; in addition, Law No 278 of 14 August 1991 made provision for a fund of ITL 2,000 million per annum for Slovenian-language newspapers (cf. Section 3 of Law No 250/90).*

The reference to the article contains the figures of the subsidies as well. The daily newspaper *Primorski dnevnik* was granted with ITL 5,750,000,000 per annum in the years 1995 and 1996, while in the year 1997 the grant amounted to ITL 4,625,000,000.

The Region Friuli Venezia Giulia assured grants to Slovenian-language newspapers as follows: in the year 1996 ITL 800 million, in the year 1997 ITL 1,500 million, in the year 1998 ITL 1,451 million and in the year 1999 ITL 1,406 million. Relevant legislation has been appended to the report.

As regards the broadcasting service the report explains the negotiations between the government and RAI, including bureaucratic details, and it states that *in this context, the possibility of extending Slovenian-language broadcasts to the Province of Udine, when funds permit, is being examined.* The annual costs for Slovenian-language broadcastings amount to ITL 6,698,752,000 excluding VAT.

Referring to Art. 10 the report contains extensive information on the implementation of international agreements, specifically the Special Statute annexed to the London memorandum and the Treaty of Osimo:

*Special provisions are also laid down for the Slovenian minority in the former Zone A of the Province of Trieste.*

*These provisions are to be found in the London Memorandum of 5 October 1954 and in the Special Statute annexed to that Memorandum, and are therefore international in nature.*

*Article 5 of the Special Statute provides that "members of the Yugoslav ethnic group in the area administered by Italy and members of the Italian ethnic group in the area administered by Yugoslavia shall be free to use their language in their personal and official relations with the administrative and judicial authorities of the two areas. They shall have the right to receive from the authorities a reply in the same language: in verbal replies, either directly or through an interpreter; in correspondence, a translation of the replies at least is to be provided by the authorities.*

*Public documents concerning members of these ethnic groups, including court sentences, shall be accompanied by a translation in the appropriate language. The same shall apply to official announcements, public proclamations and publications."*

*Following the Treaty of Osimo signed by Italy and Yugoslavia on 10 November 1975 and ratified by Law No. 73 of 14 March 1977, these provisions were transposed into domestic law. By the Treaty the Parties agreed to maintain in force, even after the Special Statute annexed to the Memorandum of London had ceased to be effective, the implementing measures already adopted at national level, and also to safeguard the level of protection afforded to members of both ethnic groups.*

*As concerns the use of Slovenian, it should be noted that a number of judgments of the Constitutional Court and the Regional Administrative Court of Friuli-Venezia Giulia have reasserted the right of the Slovenian minority to use their own language in their relations with the public authorities.*



*The Constitutional Court has held that "the Constitution, the Special Statute of Friuli-Venezia Giulia and the Treaty of Osimo require Parliament and the other authorities of the Republic, in the context of the 'positive' protection of linguistic minorities, to ensure that members of the Slovenian minority of Friuli-Venezia Giulia are able to use their mother tongue in their relations with the public authorities and, in particular, with the judicial authorities." The provisions in question lay down "guidelines which must be applied gradually", or purposive rules the application of which is a matter for Parliament (cf. judgment no 28 of 1982, with reference to Article 6 of the Constitution). Parliament is required to adapt the procedures, the forms of protection and the time of implementation of these rules to social conditions and to the availability of adequate facilities and public financial resources.*

*In that regard, the Court has held that the right of members of the linguistic minorities to use their mother tongue in their relations with the (local) judicial authorities is guaranteed by Article 6 of the Constitution and also, so far as the Slovenian minority is concerned, by the tenth transitional provision of the Constitution and Article 3 of the Special Statute of Friuli-Venezia Giulia.*

*By virtue of this right, members of the recognised linguistic minorities may put forward claims, whose realisation nevertheless depends on the adoption of implementing rules and the existence of the appropriate organisational and institutional structures.*

*There is no need to adopt specific implementing rules, however, where general structures or legal instruments exist which are capable of guaranteeing the actual and effective exercise of a right afforded, in principle, by the Constitution.*

*It was on the basis of these principles that the Constitutional Court held in judgment no 28 of 1982 that Article 6 of the Constitution and Article 3 of the Special Statute of the Region of Friuli-Venezia Giulia provide a "minimum" protection which allows members of the Slovenian minority to use their mother tongue in their relations with the local judicial authorities and also to receive replies from these authorities in the same language, either directly or through an interpreter in the case of oral communications, or in the form of a document in Italian together with a translation into Slovenian in the case of written communications.*

The following legislation has been appended<sup>4</sup>:

- Article 5 of the Special Statute annexed to the Memorandum of Understanding signed in London in 1954;

\* \* \*

<sup>4</sup> The legislation hasn't been made available on-line. Copies can be obtained from the FCNM Secretariat in Strasbourg.

- Law No 73 of 14 March 1977: "Ratifying and implementing the Treaty between the Italian Republic and the Socialist Federal Republic of Yugoslavia, including the annexes thereto, and the Agreement between Italy and Yugoslavia, including the annexes thereto, and the Final Act and the exchange of memoranda signed in Osimo (Ancona) on 10 November 1975";

- Article 3 of Constitutional Law No 1 of 31 January 1963: "Special Statute for Friuli-Venezia Giulia";

Referring to Art. 11 the provisions designed to restore the original spelling of surnames and forenames which were altered during the Fascist regime in the territories annexed to Italy by the Peace Treaty of St Germain between Italy and Austria and the Treaty concluded in 1920 between the Kingdom of Italy and the Kingdom of Serbs, Croats and Slovenians have been listed, while for the place-names the London Memorandum provisions have been recalled.

The reference to Art. 12 contains an exhaustive explanation of the educational system in Slovenian language:

*A number of important provisions concerning teachers of the Slovenian language have also been adopted. Law No 932 of 22 December 1973 provides for the establishment of two education districts, in Trieste and Gorizia, with two posts of School Inspector, and seven teaching centres, five in the Province of Trieste and two in the Province of Gorizia.*

*The Law also fixes the eligibility criteria for admission to the competition for the School Inspector posts, and also the rules governing the issue of teachers' certificates. It provides for the establishment in the Academic Directorates in Gorizia and Trieste of two administrative units and an Advisory Committee responsible for assisting the "Schools Superintendent" of the Region of Friuli-Venezia Giulia in the administration of the Slovenian-language schools. The Committee is composed of representatives appointed by the staff of the "Slovenian Schools" and by five Slovenian-speaking Italian nationals appointed by the Provincial Councils of Trieste and Gorizia.*

*The Law also addresses the problem of Slovenian-language textbooks by requiring the Ministry of Education to set up a school fund which the "Superintendent" of Friuli-Venezia Giulia may use for the preparation and translation of textbooks for Slovenian-language primary and secondary schools.*

*The above-mentioned law also governs the organisation of courses leading to the certificate of competence to teach in Slovenian-language nursery schools.*

*Decree No 417 of the President of the Republic of 31 May 1974 abolished the educational districts and the role of school inspector and replaced them by provincial school councils and the local technical inspector.*

*Other relevant provisions are laid down in Decree No 416 of the President of the Republic of 31 May 1974 on the teaching staff in State schools, Article 34 of which provides that one quarter of the representatives of the teaching staff in State schools and one fifth of the representatives of pupils' parents in the district and provincial school councils in Trieste and Gorizia are to be Slovenian-speaking teachers and parents.*

*Law No 1 of 4 January 1975 supplements the provisions referred to above. Section 8 provides that "one fifth of pupils' representatives in the school councils of the provinces of Trieste and Gorizia shall consist of teachers and parents of pupils in the Slovenian-language State schools".*

*It also provides that the district and provincial school councils in these provinces must seek the opinion of the Advisory Committee created by Law No 932/1973 when considering questions concerning the functioning of Slovenian-language schools, provincial plans for adult education courses and continuing education for Slovenian-speaking adults.*

*As regards the recruitment of teachers in Slovenian-language schools, candidates must be of Slovenian mother tongue, except in the case of competitions held to fill posts as teachers of Italian or of Italian language and literature.*

*"An adequate knowledge of the Slovenian language is none the less required, both for admission to competitions based on qualifications and tests and for admission to competitions based on qualifications alone." Candidates' knowledge of Slovenian must be verified by a Committee composed of three members appointed by the "Superintendent" of Friuli-Venezia Giulia.*

*The tests in competitions for teaching posts in nursery schools, primary schools and secondary schools, in art schools and art schools at upper secondary level are held in Slovenian.*

*Proficiency courses in Slovenian for teachers in Slovenian-language schools are arranged by those schools, at provincial or inter-provincial level, and financed by the Ministry of Education.*

*Training courses for established teachers are organised by the schools concerned on the basis of general guidelines issued by the Ministry.*

*Decree No 419 of the President of the Republic of 31 May 1974 provided for the establishment, in all principal regional towns in which a regional or inter-regional education service is based, of Regional Institutes for Educational Research (IRRSAE). Their staff are drawn from administrative and teaching backgrounds, including the universities.*

*Article 12 of the Statute of the IRRSAE of Friuli-Venezia Giulia, which was approved by Decree No. 957 of the President of the Republic of 5 April 1985, provides that "notices of competitions held for the purpose of appointing staff to the IRRSAE – the number of such staff being laid down by Decree of the Ministry of Education in consultation with the Ministry of the Treasury – must provide for a certain number of posts to be reserved for candidates whose language is not Italian and who, pursuant to the legislation in force, shall enjoy specific forms of protection".*

*In particular, teachers whose language is Slovenian "must be represented within the sections and departments of that Institute".*

Referring to Art. 14 the report contains some additional reference to education:

*A number of specific rules in favour of the Slovenian-language minority were enacted in Law No. 1012 of 19 July 1961 governing the education system in the Province of Gorizia and the territory of Trieste. The law provides that "in nursery schools, primary schools and secondary schools in the Province of Gorizia and the territory of Trieste, pupils shall be taught in their mother tongue".*

*In short, the Law provides for the establishment, alongside the Italian schools, of Slovenian-language schools for "those belonging to the Slovenian linguistic group, whether they are Italian nationals or are lawfully resident in that area"; it requires that Italian be taught as a second language; it lays down rules governing the allocation of teaching posts, whether established or non-established; it determines timetables and curricula and governs the validity of certificates and diplomas.*

*A "perfect knowledge of the Slovenian mother tongue" is the essential condition required of staff in the schools in which teaching is provided in Slovenian.*

*The Slovenian-language schools in the Provinces of Trieste and Gorizia include all levels, from nursery school to upper secondary school.*

The reference to the Art. 15 first mentions the Special Statute of the Autonomous Region Friuli - Venezia Giulia, *which provides that the same rights, the same treatment and the same protection of their ethnic and cultural characteristics are to be afforded to all citizens within the region, irrespective of the linguistic group to which they belong.*

It continues by listing some other legislative measures and announcing the new legislation which was, at that time, under discussion in the Parliament:

*The Slovenian minority in Friuli-Venezia Giulia is protected not only by the measures described above, which generally follow from international agreements (the London Memorandum and the Treaty of Osimo), but also by numerous*

*measures designed to ensure the participation of its members in the cultural, social and economic life of the district and in the public affairs which concern them. These measures are collected in the Consolidated Text laying down "rules for the protection of the Slovenian linguistic minority in the Region of Friuli-Venezia Giulia" (A.C. No. 229) which Parliament is currently examining with a view to finalising a set of general rules on the protection of the minority concerned, taking account of the various aspects of life in society and providing for the setting-up of the "Joint Institutional Committee of the Slovenian Minority" with an important advisory role.*

Additional remarks refer to participation in political life: two provisions have been listed. The first one, referring to the elections of the Parliament, establishes *that the single-member constituencies for the election of Deputies in the areas in which recognised linguistic minorities exist must facilitate their inclusion in the smallest possible number of constituencies*; the second one refers to the elections of the European Parliament and it includes the provision that *for the Slovenian minority it is possible to form unions between the various lists of candidates submitted by parties or political coalitions which represent those minorities. In addition (it) contains special rules on the allocation of seats between candidates from the linguistic minority's list.*

Art. 18 finally refers to the bilateral treaties. It contains detailed reference to the London Memorandum and the Osimo treaty:

*Italy has frequently made use of bilateral treaties to determine the basic principles relating to the protection of minorities: the De Gasperi-Gruber Treaty at the end of the Second World War and the London Memorandum, with the Special Statute annexed thereto, to which reference has already been made in Part I of the Report.*

*The London Memorandum, on the other hand, which was ratified in October 1954 by the United Kingdom, the United States, Yugoslavia and Italy, had laid down measures for the protection of the Slovenian-language and Italian-language minorities in the areas in which they were established.*

*The Special Statute annexed to the Memorandum guaranteed the minorities of the two zones equal rights and opportunities with the other inhabitants and the protection of their linguistic, cultural and economic rights.*

*Other annexes relate to the Free Port of Trieste, cultural centres for the Slovenian minority in Trieste and for Italian cultural organisations in the territory administered by Yugoslavia, the opening of consular offices in Trieste and Capodistria and the transfer of powers from the military governments to the new civilian administrations in both zones of the territory.*

*The London Memorandum is an historic instrument whose purpose is to ensure, in a spirit of international collaboration, the protection of national characteristics and the free cultural and economic development of the minority ethnic groups in the two zones of influence.*

*Under the Special Statute the Italian Government was committed to ensuring that the Slovenian ethnic group in the Province of Trieste enjoyed the same rights and conditions as the other inhabitants of the Province. A similar commitment was entered into by the Yugoslav Government in relation to the Italian ethnic group in the territory which it administered.*

*The provisions of the Special Statute guaranteed both minorities equality with other citizens in relation to political and civil rights; equal opportunity in access to public posts; fair representation within the administrations; the option to use their mother tongue freely in their relations with the authorities; the right to place inscriptions and plaques in both languages provided that the minority represents at least one quarter of the total population; and the right to unhindered cultural development.*

*A number of ad hoc provisions governed the education system and provided that teaching would be dispensed in the mother tongue, which both Governments had undertaken to protect irrespective of the number of pupils.*

*Among the bilateral agreements designed to ensure that persons belonging to national minorities enjoyed adequate protection, mention should be made of the Osimo Agreement signed on 10 November 1975 and ratified by Law No 73 of 14 March 1977, pursuant to which the Italian and Yugoslav Governments envisaged several forms of economic co-operation, settled certain unresolved questions of lesser importance, established the demarcation lines between Zones A and B (and made certain adjustments thereto) and decided that the Memorandum and the annexes thereto were to cease to be effective, without prejudice to the national measures which had already been adopted in favour of the Slovenian and Italian minorities. However, each party was obliged to maintain the same level of protection that had previously been afforded to the members of the minorities.*

*In this connection, it should be emphasised that negotiations for the revision of the Osimo Agreements were initiated with Croatia and Slovenia following the dramatic events which have marked the history of the former Yugoslavia.*

To the report have been appended<sup>5</sup>:

\* \* \*

<sup>5</sup> The legislation hasn't been made available on line. Copies can be obtained from the FCNM Secretariat in Strasbourg.



- *Treaty between Italy and the Socialist Federal Republic of Yugoslavia, including the annexes thereto, and Agreement between Italy and the Socialist Federal Republic of Yugoslavia, including the annexes thereto, Final Act and exchange of memoranda, signed in Osimo on 10 November 1975 and ratified by Law No. 73 of 14 March 1977;*

- *Memorandum of Understanding on the Free Territory of Trieste, concluded in London on 5 October 1954 between the Governments of Italy, the United Kingdom, the United States and Yugoslavia.*

## 2. INTEGRATIVE ITALIAN GOVERNMENT'S REPORTS

In March 2000 the Italian government forwarded to the Council of Europe an additional report<sup>6</sup>. It contains the explanation of the legislation on linguistic minorities (Law 482), adopted after the first report<sup>7</sup>. This report does not refer specifically to the Slovene minority.

In September 2000 the Italian Government forwarded to the Council of Europe an additional integration to the Report<sup>8</sup>. It contains one reference only to the Slovene minority, referred to Art. 12 of the FCNM. The Government informed the Council of Europe that in San Pietro al Natisone (in the Province of Udine) a private bilingual school operates, including kindergarten and elementary school. It has been run by the Institute for Slovene Education. There are 153 pupils attending this school, all members of the Slovene minority in the Natisone valley and in Cividale del Friuli. The Institute takes care of Slovene language courses in the kindergarten and elementary school in Taipana as well.

Additional information regard the association Lipa, which in agreement with educational institutions proposes activities tending to valorise multi-cultural environment.

## 3. THE VISIT OF THE ADVISORY COMMITTEE.

On 11<sup>th</sup> and 12<sup>th</sup> December 2000 a delegation of the Advisory Committee (AC), composed by 5 people (4 members of the AC and one representative of the Secretariat) visited Rome and met representatives of both minorities and government.

\*\*\*

<sup>6</sup> Convenzione quadro per la protezione delle minoranze nazionali. Rapporto dell'Italia sull'applicazione. Integrazione. Marzo 2000. In Italian. Available on request at the Ministry for internal affairs in Rome.

<sup>7</sup> Legge 15 dicembre 1999, n. 482: Norme in materia di tutela delle minoranze linguistiche storiche, Official journal n. 297, Rome, 20 December 1999.

<sup>8</sup> Convenzione quadro per la protezione delle minoranze nazionali. Rapporto dell'Italia sull'applicazione. Integrazione. Settembre 2000. In Italian. Available on request at the Ministry for internal affairs in Rome.

The aspects related to the Slovene minority were explained by the presidents of both central organizations, Mr. Rudj Pavšič (SKGZ) and Mr. Sergij Pahor (SSO). They delivered to the AC a document listing main problems and expectations of the minority<sup>9</sup>.

Among them at first place the request to adopt the protection legislation was stressed. In the document the basic content of the law was highlighted, and the expectation that the Senate would discuss the text in its plenary session was underlined. With regard to the content of the law, the document stresses the fact that its basic principles would assure equal dignity to all the citizens and would strengthen the stability of Trieste and the Region, together with its role in Italy.

The document stresses the fact that the legislation on Slovenes has been carried out with delay, as it has been on the Parliament's agenda since the year 1970, while the situation of French speaking citizens in the Valle d'Aosta Region as well as German and Ladin speaking citizens in the Region Trentino - Alto Adige have been solved long time ago. Law 482 of the year 1999 gave to Slovenes the first general legislative frame, but the implementation of this legislation seems very difficult and full of obstacles.

Undoubtedly after WWII the Slovene minority suffered a demographic decrease, partially due to a shift in general demographic standards and partially due to the ongoing assimilation process lasting many years. The responsibility of the Italian State authorities for such a decrease should not be underestimated; they are still the cause of delay in the recognition of fundamental rights to the Slovene community.

Italy has guaranteed public education system with Slovene as the language of instruction, but the Province of Udine was excluded and only one private school recognised by the authorities exists in that area. The State finances a Slovene structure within the national public broadcaster RAI in Trieste. The radio broadcasts 12 hours daily, while the television only half an hour. The reduced financial support has forced the broadcaster to reduce staff and nowadays the Slovene structure faces several difficulties. The visibility of the television has not been guaranteed in the whole area inhabited by Slovenes in the Region.

The document underlines that both the educational system and the broadcasting service have been originated by the Allied Military Government after WWII.

\* \* \*

<sup>9</sup> Promemoria inerente l'incontro della delegazione del comitato consultivo della Convenzione quadra per la protezione delle minoranze nazionali con i presidenti delle organizzazioni della società civile degli Sloveni in Italia. In Italian. The document can be obtained at SKGZ, v. San Francesco 20, Trieste, Italy.

In those years the Community has survived and developed due to strong internal cohesion and support from Yugoslavia and Slovenia. Self-financing through its own economic activities has been the main financial source of hundreds of associations operating in social and political life. This source almost disappeared after the largest Slovenian bank in Trieste collapsed and the political and economic crisis in Yugoslavia brought to substantial reductions of the trade with the neighbouring State.

Since the beginning of the '90 the State has allocated yearly ITL 8 billion to the minority cultural organisation through the Region. The amount has not changed since ten years; additionally it has to be said that the payments have been delayed, sometimes for years, and Slovene institutions needed to accede to bank loans that involved the payment of high interests.

Among the controversial problems the document mentions the right of use of the minority language when dealing with authorities, in toponyms and in public announcements. The Special Statute has been mentioned, and the lack of implementation stressed. This right has not been implemented in spite of the decision made by the Constitutional court on 11 February 1982, No. 28, which affirmed the right of Slovene speakers to address authorities in mother tongue and to receive answer in the same language. The Special Statute regards the province of Trieste only. In the Province of Gorizia the use of language has only been permitted in three small communes, where the majority of population is Slovene, while in the Province of Udine any linguistic right has not been recognised so far.

In the end the document expresses the wish of prompt approval of the new legislation for Slovenes, but at the same time it warns since now that the implementation might be delayed, considering the delay of the application of the Law 482.

At the meeting with the Committee on linguistic minorities at the Government's Department for Regional Affairs the Undersecretary of State Mr. Gianpaolo Bressa assured the delegation of the AC that the legislation on Slovenes would be approved soon<sup>10</sup>. The delegation of the AC paid a visit to the Senate, where it met the rapporteurs Felice Besostri and Michele Biscardi and the Slovene-speaking senator Mr. Demetrio Volčič. They asked for clarification about the legislation for the Slovene minority and they got assurance that the senate will adopt the legislation within the mandate<sup>11</sup>.

\* \* \*

<sup>10</sup> Primorski dnevnik, 12 December 2000, page 2.

<sup>11</sup> Primorski dnevnik, 13 December 2000, page 2.

#### 4. LAW 38/2001 (PROTECTION OF THE SLOVENE MINORITY).

On 14<sup>th</sup> February 2001 the senate adopted the legislation on the Protection of the Slovene minority<sup>12</sup>. Law No. 38 was published in the Official Journal on 8 March 2001.

The law represents a comprehensive legislative framework on the Slovene minority in Italy, even if it is a compromise between different drafts. This will create huge problems in the implementation process. The implementation has been based on the Joint committee, composed by ten representatives of the Slovene community and ten Italian representatives, but the Committee has not been given any decisional power; it only has the duty to advise the authorities about specific issues.

Due to the fact that when the new legislation entered into force the Advisory Committee already concluded the fact-finding work, the Italian government has not produced any further additional report on this new legislation. In any case the text was forwarded to the Secretariat of the FCNM, as it appears from further documents.

#### 5. THE OPINION OF THE ADVISORY COMMITTEE

The Advisory Committee on the Framework Convention for the Protection of National Minorities adopted the Opinion on Italy on 14 September 2001<sup>13</sup>.

In the Opinion the Advisory Committee (AC) states that Italy has made *most commendable efforts in many areas including education, media and effective participation for the German-speaking, Ladin, French-speaking and Slovene minorities resident in regions which enjoy special autonomy*.

Referring to Art. 3 of the FCNM the AC lists the languages protected by Law 482, among them the Slovenian, while the reference to Art. 4 contains the statement that due to the self-governing status of the relevant regions, some minorities, among them the Slovenes, enjoy very favourable circumstances in the economic, social, political and cultural spheres.

Commenting Art. 5 the AC welcomes the high level of protection of some minorities, among them the Slovene, and new legislation in the field. It states that

\* \* \*

<sup>12</sup> Legge 23 febbraio 2001, n. 38: Norme per la tutela della minoranza linguistica slovena della regione Friuli Venezia Giulia, Official journal n. 56, Rome, 6 March 2001.

<sup>13</sup> The whole text is available at:

<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/AdvisoryCommittee/Opinions/Italy.htm>

*in this respect, the Advisory Committee welcomes the Senate's adoption on 14 February 2001 of Law No. 38/01 governing protection of the Slovene linguistic minority in the Friuli-Venezia Giulia region, the latest legislative instrument to give effect to Article 6 of the Constitution. Despite the fact that the Slovene minority already enjoyed quite extensive protection measures, this new law represents a significant advance in granting equal protection to the Slovenes living in the three provinces of Trieste, Gorizia and Udine. Thus it usefully supplements the existing statutory provisions.*

Referring to Art. 9, the AC positively reacts to the fact that some minorities, among them the Slovene, enjoy radio and television broadcasts, but *it notes that unfortunately reception is not possible everywhere; for instance, the Ladins in Belluno province and the Slovenes in Udine province cannot pick up the broadcasts produced in their languages by Radio Televisione Italiana (RAI) although they traditionally reside in these areas. The Advisory Committee considers that the Italian authorities should try to remedy this state of affairs. In this regard, it welcomes the indication in the State Report that there was a possibility of extending Slovenian language broadcasts to Udine province. It further notes that the Slovenes and Ladins have expressed their interest in obtaining an extension of the air time allocated to them, and considers that the Italian authorities should look into the matter.*

The AC furthermore states that some minorities, among them the Slovenes, *have significant possibilities to use of their languages in dealings with the administrative authorities but it notes that some difficulties have nonetheless been reported in the towns of Trieste and Gorizia where Slovenes are allegedly discouraged from using their language on occasion. Slovenes living in Udine province have not yet been allowed to use their language in dealings with the administrative authorities. The Advisory Committee notes with satisfaction that the new Law No. 38/01 governing protection of the Slovene linguistic minority in the Friuli-Venezia Giulia region will make it possible for the situation in Udine province to be markedly improved. It considers that the Italian authorities should ensure speedy and effective implementation of this law and ensure that use of Slovenian in the towns of Trieste and Gorizia is not discouraged.*

Referring to Art. 14 the AC *welcomes the educational opportunities available to the Slovene minority in the provinces of Trieste and Gorizia, but it expresses hope that the new Law will make it possible to improve the situation of the Slovenes resident in Udine province.*

While stressing several times the importance of regional autonomies, the AC, referring to Art. 15 states that *regionalism in respect of institutions has developed to differing degrees in these regions. It attains its most consummate form in the*

regions of Trentino-Alto Adige and Aosta Valley, and to a lesser extent in Friuli-Venezia Giulia.

The AC, in the reference to the Art. 15, once more refers to the new legislation: *With regard to the Slovene minority, the Advisory Committee welcomes the recent creation, under Law No. 38/01 governing protection of the Slovene minority in the Friuli-Venezia Giulia region, of a joint institutional committee to deal with the problems of the Slovene minority, from which half the members of the committee will be drawn. The Advisory Committee expresses the hope that this new body will be promptly set up and consulted by the authorities on all issues of importance to the Slovene minority.*

In the Concluding remarks of the opinion the AC with regard to the Slovene minority, *the Advisory Committee welcomes the recent creation, under Law No. 38/01 governing protection of the Slovene minority in the Friuli-Venezia Giulia region, of a joint institutional committee to deal with the problems of the Slovene minority, from which half the members of the committee will be drawn. The Advisory Committee expresses the hope that this new body will be promptly set up and consulted by the authorities on all issues of importance to the Slovene minority.*

In the Proposal for the Conclusions and Recommendation by the Committee of Ministers the AC mentions the Slovene minority several times. The relevant text is reported hereafter:

#### ***In respect of Article 9***

*The Committee of Ministers concludes that reception of the radio and television broadcasts made by the company holding the franchise for public service broadcasting is still not technically possible for, in particular, the Ladins in Belluno province and the Slovenes in Udine province. It therefore recommends that the authorities remedy this state of affairs. (...)*

#### ***In respect of Article 10***

*The Committee of Ministers concludes that persons belonging to the French-speaking, German-speaking, Ladin and Slovene minorities enjoy significant possibilities to use of their languages in dealings with the administrative authorities although some difficulties have been reported in the towns of Trieste and Gorizia, where Slovenes are allegedly discouraged from using their language on occasion. The Committee of Ministers recommends that Italy ensure speedy and effective implementation of Law No. 38/01 governing protection of the Slovene linguistic minority in the Friuli-Venezia Giulia region and satisfy themselves that use of Slovenian in the towns of Trieste and Gorizia is not discouraged. (...)*



### *In respect of Article 14*

*(...) The Committee of Ministers concludes that the German-speaking, Ladin, Slovene and French-speaking minorities have numerous possibilities for learning and/or being taught in the minority language, while for other minorities only experimental forms of teaching exist in some provinces. (...)*

## 6. COMMENTS OF THE GOVERNMENT OF ITALY

The government of Italy reacted on the Opinion of the AC with detailed comments<sup>14</sup>. They contain some reference to the Slovene minority as well.

Commenting the reference to Art. 4 the Government of Italy informs that *the Regulation governing the organisation of the institutional Joint Committee to implement the measures to protect the Slovene minority pursuant to Law No 38 of 23 February 2001 is currently being drafted.*

Referring to the request to extend the Slovene language broadcasts to the Udine province, the Italian Government States that *this request, and the request of the Advisory Committee to increase the number the Slovene and Ladin language broadcasting hours, could therefore be examined when the agreements are next renewed; no provisions of current legislation stand in the way of this, but it will require current agreements to be modified accordingly and incur an additional cost, which would be appraised mainly in terms of the availability of financial coverage.*

Referring to education (Art. 14) the Italian government makes reference to the new legislation and states that *this law contains provisions specifically protecting the Slovene language minorities in the Provinces of Trieste, Udine and Gorizia, in compliance with the international conventions to which Italy is a signatory state (particular reference is made to Sections 11, 12, 13, 14 and 15 relating to schools, school management bodies, the Regional Institute of Educational Research, musical education).* It also notes that the Universities in Trieste and Udine have taken the initiative to incorporate into degree courses the study of Slovenian language.

The Italian Government has not reacted to other statements contained in the AC Opinion on Italy.

\* \* \*

<sup>14</sup> The whole text is available at:

<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/AdvisoryCommittee/Opinions/Italy.Comments.htm>

## 7. THE SCAJOLA DECREE

On 18<sup>th</sup> January 2002 in the Official Journal a decree<sup>15</sup>, adopted by the minister for home affairs Claudio Scajola, was published. The decree contains dispositions referring to the release of identity cards in the communes of Duino Aurisina - Devin Nabrežina, Monrupino - Repentabor, San Dorligo della Valle - Dolina and Sgonico - Zgonik in province of Trieste. To make the problem, which has not appeared in any scientific publication so far, understandable from the point of view with link to the FCNM, a short explanation of the background is needed.

After WWII the military British-American administration of the Territory of Trieste (nowadays Province of Trieste), recognised certain rights to the Slovene minority in the area. Bilingual documents have been included. The London agreement of 1954 (called Memorandum) established, among other, that the Territory of Trieste would be administered by Italy. To the Memorandum a Special Statute was annexed, containing specific rights of minorities, the so-called Yugoslavian minority in the territory of Trieste and the Italian minority in the area administered by Yugoslavia (nowadays divided between Slovenia and Croatia). Listing the rights, recognised on the basis of the Special Statute, Italian government included bilingual identity cards in the abovementioned 4 communes. Recently Italian nationalists raised the question claiming that to those citizens, who specifically request, the Italian-only identity card should be released. Slovenes reacted negatively, objecting that such a treatment would represent a discrimination, as the choice of the IC would make possible to everybody to identify the cardholder's feeling towards the Slovene minority, which in any case falls under the privacy legislation. Slovenes insisted as well, that bilingual ICs were released on the basis of the Special Statute and therefore they could only be changed through new international agreement.

The Scajola decree allowed the four mayors to release Italian only identity cards to those citizens who specifically request it. In this article only the international aspect has been considered, but it has to be stressed that the decree raised huge conflicts between the Slovene minority and the authorities.

## 8. THE RAPPOREUR GROUP OF HUMAN RIGHTS (GR-H)

The Permanent Representative of Slovenia to the Council of Europe, raised the question of Slovene minority in Italy on the GR-H meeting on 28 February 2002<sup>16</sup>.

\* \* \*

<sup>15</sup> Decreto del Ministro dell'Interno di data 19 dicembre 2001: Rilascio della carta d'identità in lingua italiana, a richiesta, ai cittadini italiani residenti nei Comuni di Duino-Aurisina, Monrupino, San Dorligo della Valle e Sgonico. Official journal n. 15, Rome 18 January 2002.

Slovenia proposed an amendment to the Draft resolution on the implementation of the FCNM by Italy. The draft, proposed by the Secretariat, contained only one reference to the Slovene minority:

*Italy has made most commendable efforts in many areas including education, media and effective participation for the German-speaking, Ladin, French-speaking and Slovene minorities living in the regions which enjoy special autonomy.*

The Permanent Representative of Slovenia proposed to amend this text expressing concern for the deterioration of the situation of the Slovene minority in the Region Friuli - Venezia Giulia, and asking Italy to nominate as soon as possible the Joint Committee, as established in Law 38/2001. Slovenia proposed as well, that Italy should respect the principle, that the rights, which have already been acquired, cannot be reduced.

At the meeting the Permanent Representative of Slovenia stressed that Slovenia appreciated the approval of the Law No. 38 which recognised the Slovenes from the Province of Udine as well. Slovenia regrets that the implementation of Law No. 38 has not even begun, and specifically that the Joint Committee has not been established yet. The statement contained some remarks on the appointment of the members of the Joint Committee as well.

Among other problems the Permanent Representative of Slovenia mentioned the Scajola decree on bilingual identity cards, stressing, that already acquired rights cannot be reduced, and the fact that in province of Udine the Slovene television programmes, broadcasted by RAI, cannot be seen.

On 15 May 2002 Slovenia formally proposed to amend the draft while recalling the fact that the rights already acquired cannot be curtailed. Negotiations took place within the GR-H until the issue was put on the agenda of the Committee of ministers.

## 9. THE COMMITTEE OF MINISTERS

After several contacts between the parties, the Committee of Ministers on 3 July 2002 adopted the Resolution<sup>17</sup>. The compromise consisted in the following text, added to the original draft resolution.

\* \* \*

<sup>16</sup> On 27 February 2002 the Foreign Minister of Slovenia informed the representatives of the Slovene minority in Italy that the Government of Slovenia gave the mandate to the Permanent Representative of Slovenia to raise the question in the Council of Europe, as reported by the Slovene daily newspaper *Primorski dnevnik* on 28 February 2002.

<sup>17</sup> The whole text is available at: [http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/Monitoring%20by%20the%20CM/Decisions/802nd\\_meeting.htm](http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/Monitoring%20by%20the%20CM/Decisions/802nd_meeting.htm)

*Continued attention should also be paid to the implementation of the recently adopted legislation governing protection of the Slovene minority in the Friuli - Venezia Giulia region.*

The Permanent Representative of Slovenia asked<sup>18</sup> to minute a declaration, stating that the Republic of Slovenia has been willing to compromise and accepted the proposal drawn up by the Secretariat and amended by the Italian delegation. In the declaration the inadmissibility of curtailing the already acquired level of protection of the minority has been stressed, with specific reference to the abrogation of the requirement to issue bilingual identity cards in four municipalities and other issues. Therefore Slovenia will continue to monitor the implementation of the FCNM.

## 10. CONCLUSION

The evolution of the monitoring of the Italian implementation of the FCNM clearly shows that the evaluation of the Italian policy towards the Slovene community in the Region Friuli Venezia Giulia will be possible only after the next report will be forwarded to the Council of Europe. The fact that the Italian Parliament adopted the law No. 38/01 on Slovenes after the report was produced, gave certain credits to Italy; the Advisory Committee has accepted the principle that Italy adopted the legislation in good faith and the Committee of Ministers acted accordingly. Slovenia formally warned about the points it considered either important for the implementation of the FCNM or relevant from the point of view of bilateral relations. Following activities of Italy and reactions of the Slovenian government have not been considered by this article; they will be part of the second Italian report and the following monitoring process.

\* \* \*

<sup>18</sup> See: Primorski dnevnik, 4 July 2002