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English only

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**Eighth United Nations Conference on the  
Standardization of Geographical Names**

Berlin, 27 August-5 September 2002

Item 9 (c) of the provisional agenda\*

**National standardization: treatment of names in multilingual areas**

**Toponymic Committee of Burgenland**

**Submitted by Austria\*\***

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\* E/CONF.94/1.

\*\* Prepared by Christoph Konrath, University of Vienna.



1. Burgenland is one of Austria's nine federal states (Länder). Until 1921 it was part of the Kingdom of Hungary. A border region for centuries, the present Burgenland has been home of Germans and Hungarians since medieval times. In the 16<sup>th</sup> century, local noblemen settled people originating from Croatia in abandoned as well as newly founded villages. During the 17<sup>th</sup> and 18<sup>th</sup> century, Jewish communities were established and Roma arrived here as well.

2. Today, Croats, Hungarians, and Roma are officially recognised national ethnic minorities of Austria. However, none of them claims an exclusive region or territory. The municipalities and villages with a considerable population made up by the Croat minority are scattered over six (of seven) administrative districts of Burgenland. Croats make up to 90 % of the population in some smaller villages (500-1.500 inhabitants). Nowadays, there are only 4 settlements with a considerable portion of Hungarians who can mainly be found in the administrative district of Oberwart.

3. Burgenland has 278.600 inhabitants (census 2001). The census of 1991 (the exact data of the census 2001 will only be available in September 2002) listed 19.460 Croats and 6.763 Hungarians. There is no exact data available for the Roma. It should be noted that the number of persons belonging to an ethnic minority has been gradually diminishing since the 1930ies, mainly due to assimilation and emigration. Further more it is important to mention that in the past many people have refused to declare themselves as members of a minority group as they feared discrimination. Minority representatives estimate the Croat population at about 30.000 - 40.000 and Roma population at about 10.000 persons. Since the 1980ies more people have expressed their membership in a minority group because of increased activities of minority boards and NGOs.<sup>1</sup>

4. In the Austrian legal system, provisions granting minority rights may be found in several statutes and international treaties. However, the implementation of these clauses has been subject to political debates over a very long time. Federal and regional governments privileged politics of assimilation and adhered to narrow and restrictive interpretation of minority rights. In particular, questions of education and bilingual topographic inscriptions have been contested. A policy

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<sup>1</sup> Further information can be obtained in the „*Volksgruppenreport*“, a yearly report on the situation of national minorities edited by the Austrian „Volksgruppenzentrum“ (Center of minority groups). See also <http://www.initiative.minderheiten.at>

change occurred after 1988 and since then minority groups received more attention from the government. 1994 brought about a backlash because of changes in the political climate and decreasing interest in minority issues. Since that time members of minority groups often had to seize the Austrian Constitutional Court to enforce their rights.

5. Art. 7 of the State Treaty ("Staatsvertrag") that re-established Austria as a sovereign, independent, and democratic republic in 1955 contains important clauses for the protection of the Slovene and Croat minorities. Art. 7 (2) states that – in addition to German – the Slovene and Croat language shall be accepted as official languages in certain administrative and judicial districts of Carinthia, Styria and Burgenland with Slovene, Croat or mixed population. The same provision further states that topographical terminology and inscriptions in those districts shall be in the Slovene or Croat language as well as in German. In 1972 the first attempt to put up bilingual signs took place in Carinthia but it was heavily and even violently resisted by certain (nationalist) movements. In 1976 the Federal Statute on the Legal Status of National Minority Groups in Austria ("Volksgruppengesetz" [VGG], BGBl.<sup>2</sup> 1976/396) was enacted. This statute applies to all recognised national minorities. It is – in contrast to the State Treaty mentioned above – not confined to Slovenes and Croats. Para. 2 Section (1) 2. VGG prescribes that dual naming shall appear on topographical signs in areas with a considerable portion (i. e. a quarter) of people belonging to a national minority. This clause has been criticised as unconstitutional on the grounds that the State Treaty refers to "mixed" but not "considerable" minority population (see also para. 7 *infra*).<sup>3</sup>

6. Para. 2 Section (1) 2. VGG has no direct effect. Its implementation requires a regulation enacted by the Federal Government in consultation with the Main Committee (Hauptausschuss) of the National Council (Nationalrat; the main chamber of the Austrian Parliament). In the case of Burgenland, such a regulation was not passed until June 2000. This regulation ("Topographieverordnung", BGBl. II 170/2000, 21 June 2000) singles out these municipalities and

<sup>2</sup> BGBl. = Bundesgesetzblatt (Federal Legal Gazette).

<sup>3</sup> Cf. on minority rights in Austria: HILPOLD, PETER, *Modernes Minderheitenrecht* (Manz, Vienna 2001); KOLONOVITS, DIETER, *Sprachenrecht in Österreich* (Manz, Vienna 1999); ÖHLINGER, THEO, Der Verfassungsschutz ethnischer Gruppen in Österreich, in Heinz Schäffer et. al. (eds.), *Staat-Verfassung-Verwaltung. Festschrift für Friedrich Kaja* (Springer, Vienna-New York 1998) 371-390.

incorporated villages where topographical terminology and signs have to be either in the Croat language and German or in Hungarian and German. (A copy of the regulation is attached to this document. The comprehensive list of municipalities and incorporated regions forms an integral part of this report's summary.)

7. The Austrian Constitutional Court had to review the VGG in 2001 and repealed parts of para. 2 section (1) 2. as unconstitutional (cf. VfGH<sup>4</sup> 13 December 2001, G 213/01). It ruled that the phrase "considerable portion (a quarter)" did not comply with the obligations under Art. 7 State Treaty (see para. 5. supra). As a consequence of this judgement more bilingual topographic signs need to be erected in the future. The government of Burgenland has already declared that it would support the mounting of new signs. However, at the moment the situation is somewhat unclear, insofar as the decision of the Constitutional Court gave rise to a new political debate about minority rights.

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<sup>4</sup> VfGH = Verfassungsgerichtshof (Austrian Constitutional Court).

# BUNDESGESETZBLATT

## FÜR DIE REPUBLIK ÖSTERREICH

Jahrgang 2000

Ausgegeben am 21. Juni 2000

Teil II

170. Verordnung: Topographieverordnung-Burgenland

### 170. Verordnung der Bundesregierung über die Bestimmung von Gebietsteilen, in denen topographische Bezeichnungen und Aufschriften nicht nur in deutscher sondern auch in kroatischer oder ungarischer Sprache anzubringen sind (Topographieverordnung-Burgenland)

Auf Grund des § 2 Abs. 1 und des § 12 des Volksgruppengesetzes, BGBl. Nr. 396/1976, in der Fassung der Kundmachungen BGBl. Nr. 575/1976, BGBl. Nr. 24/1988 und BGBl. I Nr. 194/1999, wird im Einvernehmen mit dem Hauptausschuss des Nationalrates verordnet:

§ 1. In folgenden Gebietsteilen sind Bezeichnungen und Aufschriften topographischer Natur, die von Gebietskörperschaften oder von sonstigen Körperschaften und Anstalten des öffentlichen Rechts angebracht werden, sowohl in deutscher als auch in kroatischer Sprache wie folgt anzubringen:

1. Im politischen Bezirk Eisenstadt-Umgebung in den Gemeinden:

Hornstein	Vorištan
Klingenbach	Klimpuh
Oslip	Uzlop
Siegendorf	Cindrof
Steinbrunn	Štikaprunn
Trausdorf an der Wulka	Trajštof
Wulkaprodersdorf	Vulkaprodrštof
Zagersdorf	Cogrštof
Zillingtal	Celindof

2. Im politischen Bezirk Güssing in den Gemeinden:

Güttenbach	Pinkovac
Neuberg im Burgenland	Nova Gora
Stinatz	Stinjaki

3. Im politischen Bezirk Mattersburg in den Gemeinden:

Antau	Otava
Baumgarten	Pajngrt
Drassburg	Rasporak

4. Im politischen Bezirk Neusiedl am See in den Gemeinden:

Neudorf	Novo Selo
Pama	Bijelo Selo
Parndorf	Pandrof

5. Im politischen Bezirk Oberpullendorf:

in der Gemeinde Frankenau-Unterpullendorf in den Ortsteilen	
Frankenau	Frakanava
Großmutschen	Mučindrof
Kleinmutschen	Pervane
Unterpullendorf	Dolnja Pulja
in der Gemeinde Großwarasdorf in den Ortsteilen	
Großwarasdorf	Veliki Borištof
Kleinwarasdorf	Mali Borištof
Langental	Longitolj
Nebersdorf	Šuševo
in der Gemeinde Kaisersdorf	Kalištof

in der Gemeinde Nikitsch in den Ortsteilen	
Kroatisch Geresdorf	Gerištof
Kroatisch Minihof	Mjenovo
Nikitsch	Filež
in der Gemeinde Weingraben	Bajngrob
6. Im politischen Bezirk Oberwart:	
in der Gemeinde Markt Neuhodis im Ortsteil	
Althodis	Stari Hodas
in der Gemeinde Rotenturm an der Pinka im Ortsteil	
Spitzzicken	Hrvatski Cikljín
in der Gemeinde Schachendorf in den Ortsteilen	
Dürnbach im Bgl	Vincjet
Schachendorf	Čajta
in der Gemeinde Schandorf	Čemba
in der Gemeinde Weiden bei Rechnitz in den Ortsteilen	
Allersdorf im Bgl	Ključarevci
Allersgraben	Širokani
Mönchmeierhof	Marof
Oberpodgoria	Podgorje
Parapatitschberg	Parapatićev Brig
Podler	Poljanci
Rauhriegel	Rorigljín
Rumpersdorf	Rupišće
Unterpodgoria	Bošnjakov Brig
Weiden bei Rechnitz	Bandol
Zuberbach	Sabara

§ 2. In folgenden Gebietsteilen sind Bezeichnungen und Aufschriften topographischer Natur, die von Gebietskörperschaften oder von sonstigen Körperschaften und Anstalten des öffentlichen Rechts angebracht werden, sowohl in deutscher als auch in ungarischer Sprache wie folgt anzubringen:

1. Im politischen Bezirk Oberpullendorf:
 

in der Gemeinde Oberpullendorf	Felsópulya
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2. Im politischen Bezirk Oberwart:
 

in der Gemeinde Oberwart im Ortsteil	
Oberwart	Felsőór
in der Gemeinde Rotenturm an der Pinka im Ortsteil	
Siget in der Wart	Órisziget
in der Gemeinde Unterwart im Ortsteil	
Unterwart	Alsóór

**Schüssel Riess-Passer Ferrero-Waldner Gehrer Grasser Strasser Böhmdorfer  
Scheibner Molterer Sickl Schmid Bartenstein**