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**Geographical names as culture, heritage and identity, including indigenous,
minority and regional languages and multilingual issues**

**Utilization of communal autonomy for implementing additional
bilingual names of populated places and streets in Carinthia
(Austria)**

Submitted by Austria **

Summary

An improved political climate between the German-speaking majority and the minority of Slovenes in the Austrian Province of Carinthia now allows the utilization of communal autonomy (a principle of the Constitution) to implement additional bilingual town signs and new bilingual street names. While that possibility always existed, implementation was not previously possible because the German-speaking majority in all bilingual communes but one would not have passed such a decision in favour of the minority. Now, the opportunity to implement bilingual place names in addition to the 164 defined in amendment No. 46/2011 to the National Minorities Act has been used by three communes in various ways. Experience has shown that the introduction of street names replacing bilingual names of populated places poses new challenges to bilingual communes. The recommendations of the Austrian Board on Geographical Names regarding the naming of urban traffic areas in 2017 (see [E/CONF.105/21](#) and [E/CONF.105/21/CRP.21](#)) referred explicitly to the value of using field names and/or other traditional local names when applying new names. Those recommendations contributed to the conservation of traditional local place names of the minority as street names.

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Utilization of communal autonomy for implementing additional bilingual names of populated places and streets in Carinthia (Austria)

Summary **

An improved political climate between the German-speaking majority and the minority of Slovenes in the Austrian federal province of Carinthia now allows it to utilize communal autonomy (a principle of the Austrian Constitution) related to implementing additional bilingual town signs as well as new bilingual street names. While this possibility has already existed earlier, it could not have been used until now, since the German-speaking majority in all bilingual communes but one would not have passed such a decision in favor of the minority. Now the opportunity to implement bilingual town signs in addition to the 164 defined by Austrian Federal Law 46/2011 has been used by three communes in various ways of decision making and implementation. The introduction of street names replacing bilingual names of populated places on house number signs poses new challenges to bilingual communes as examples of resolving the problem in some communes have shown. The recommendations of the Austrian Board on Geographical Names (AKO) for the naming of urban traffic areas as of 2017 (E/CONF.105/21/CRP.21) hinted explicitly at the value of using field names and/or other traditional local names upon applying new names. It contributed to the conservation of traditional local place names of the Slovenian minority as street names.

Memorandum and town-sign solution in Carinthia 2011

After protracted talks and discussions, which the State Secretary Dr. Josef Ostermayer held at the request of the Austrian Federal Chancellor Werner Faymann with the mayors of the respective municipalities, the Carinthian-German homeland associations, the political parties and the organizations of Carinthian Slovenes, it was possible on April 26, 2011 for the discussion participants to reach an agreement on an overall package. In addition, a memorandum was signed by the negotiation partners that set out a constitutional solution in summer 2011 with a numerated list of 164 bilingual communes, as well as the establishment of a constitutional provision according to which the responsible authorities were obliged, without delay, to put up the town and road signs in question. It was also stated in the memorandum that there will be no minorities determination and no escape clause. Additionally, it was agreed to set up a dialog forum at the Carinthian Provincial Government for the development of the mixed-language region.¹

Extension clause

In many discussions and negotiations about the solution to the town-sign problem in Carinthia, the term ‘extension clause’ was repeatedly used and discussed. As part of the debates with multiple changes of opinions by the participating organizations, parties and government officials,

¹ Explanations of the change to the Ethnic Groups Act, Federal Law Gazette (BGBl.) 46/2011: https://www.ris.bka.gv.at/Dokumente/RegV/REGV_COO_2026_100_2_672045/COO_2026_100_2_672116.html

the change of the term ‘extension clause’ to ‘democratic petition right’ was mooted. In the end, the problem of the bilingual names and signs of a topographical nature was regulated anew by the federal legislator without any ‘extension clause’, whereby the places to be named bilingually were specified as an annex to the Ethnic Groups Act with a constitutional status.²

Communal autonomy

As there was no agreement on the conditions of a later ‘improvement’ of the compromise striven for at the time by the federal legislator for the solution to the town-sign issue, it was stated in the memorandum for the Carinthian town-sign compromise “*that it continues to be legally permissible, with a corresponding resolution in the municipal council, to set up further town signs, designations and inscriptions of a topographical nature.*” This referred, without citing the legal source, to the provision of § 3 par. 2 of the Carinthian General Municipal Code, which allows the municipal council to specify and change further minority names.

In the explanations of the change to the Ethnic Groups Act, Federal Law Gazette 46/2011, there was also an explicit reference to the national objective of Art. 8 par. 2 Austrian Federal Constitutional Law (B-VG), according to which the Republic of Austria is committed to its evolved linguistic and cultural diversity, which is expressed through the indigenous ethnic groups.

Carinthian General Municipal Code (K-AGO)³

The legal basis for setting up further bilingual town signs is the Carinthian General Municipal Code, § 3 par. 2, according to which the “*names of places, which are settlements with cohesive numbering, as well as of districts and the naming of streets, alleys or squares, may be determined and changed by the municipal council*”.

The determination or the change of names of populated places requires the permission of the provincial government. The regional archives are to be referred to in order to assess the historical circumstances.

Use of communal autonomy for additional bilingual town signs

After the signing of the memorandum in 2011, two municipalities made use of their communal autonomy in order to set up bilingual town signs throughout the municipal area.

In the Bleiburg municipality, the municipal council (ÖVP, SPÖ, EL) was unanimously in favor of this. On the national holiday in the year 2018, the last four little villages were given bilingual signs.

The Sankt Jakob im Rosental municipality decided already in the year 2016 to set up a bilingual sign for the Tschermeritzen/Čemernica village, after permission from the province of Carinthia and upon the initiative of the village community, which had previously been assigned to the village of Kanin/Hodnina. This was the first additional bilingual town sign after the town-sign compromise of 2011. In July 2020, there was a majority decision at the municipal council session in Sankt Jakob im Rosental to set up town signs with bilingual place names throughout the municipal area.

² Ethnic Groups Act in the version of Federal Law Gazette (BGBl.) I No. 46/2011.

³ Landesrecht konsolidiert Kärnten: Gesamte Rechtsvorschrift für Kärntner Allgemeine Gemeindeordnung – K-AGO. [Carinthia consolidated provincial law: complete legal regulation for Carinthian General Municipal Code – K-AGO]. Version of 24.02.2021.

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=LrK&Gesetzesnummer=10000276>

The Ethnic Groups Act of 2011 states that in all towns or villages where more than 17.5 percent of the population define themselves as bilingual⁴, the town signs must be in both German and Slovenian. In the Sankt Jakob im Rosental municipality, this applied to almost half of the 22 villages. The rest of the signs will be set up this year following the municipal council decree after the municipal council elections that were held at the end of February.

Due to these decrees on a municipal level, two further municipalities now have bilingual town signs throughout. In the municipalities Zell, Globasnitz, Feistritz ob Bleiburg and Ludmannsdorf, as well as Eisenkappel-Vellach (with the exception of Bad Eisenkappel), this right was already in place based on the Ethnic Groups Act of 1977, according to which populated places were to be viewed as bilingual which were home to a ‘relatively significant number (a quarter)’ of minorities.

Under the 25% rule, in the year 1977 only 91 villages or towns were affected by the minorities regulation of Article 7. In the year 1972, the implementation of bilingual town signs was decreed in 205 Carinthian communes in which at least a 20 percent proportion of the inhabitants had stated Slovenian as a colloquial language in the population census.

In 2001, in reaction to the intervention of the Carinthian-Slovenian lawyer Rudi Vouk, the Constitutional Court of Justice [Verfassungsgerichtshof] referring to the Decree of 1977 concerning Carinthia passed a decision stating that a percentage of 25% minority speakers was too high and recommended to reduce it to 10% based on the average results of more recent population censuses (1961, 1981, 1991, 2001, and with reference to the criterion ‘colloquial language’), but recommended also to regard this threshold of 10% just as a guideline and basis for comprehensive political negotiations.

After that, it took 10 years of negotiations lasting until July 2011, when under the new Ethnic Groups Act (Federal Law Gazette 46/2011), 164 communes were specified that should receive mandatory bilingual town signs on a legal basis. The compromise was set at the percentage of 17.5% of Slovene inhabitants in the individual localities – as a ‘middle-way approach between 10% and 25%’. Some bilingual town signs were ‘achieved’ through appeals to the Constitutional Court of Justice. This concerns smaller villages throughout the region; villages with fewer than 30 inhabitants were taken out for data privacy reasons.⁵

According to the memorandum to the Ethnic Groups Act, it is now possible on the basis of communal autonomy (Carinthian General Municipal Code § 3 par. 2) to set up additional bilingual town signs in localities that do not reach this percentage. There are no rules as to how and under what conditions bilingual topographical signs can be considered. In unfortunate cases, this can also lead to new disputes, as was the case in the Sittersdorf municipality.

In December 2017, the majority of the Sittersdorf Municipal Council declined the application to affix a bilingual town sign for Sielach/Sele. Prior to this vote, the majority of village inhabitants of Sielach had signed in favor of a bilingual town sign, upon the initiative of the village resident Franc Kukovica. Kukovica had caused a stir by taking it upon himself to add the Slovenian name Sele to the town sign for Sielach. Twice he had to present himself before a court and twice he was acquitted. At the municipal council session in Sittersdorf in July 2020, before the 100-year celebration of the Carinthian Plebiscite, there was finally a majority vote in favor of setting up the bilingual town sign for Sielach/Sele.

⁴ On the basis of the 2001 population census.

⁵ 10 Jahre Ortstafelerkenntnis. Die zweisprachigen Aufschriften in Kärnten/Koroška – eine Information. [10 years of town-sign recognition. The bilingual inscriptions in Carinthia/Koroška – information.] Publisher: Council of Carinthian Slovenes, 2011.

Using communal autonomy for new street names

In the Sankt Jakob im Rosental municipality the discussions were not primarily about new bilingual town signs but about future street names.

During the discussions about the introduction of new street names, the question was posed to the ethnic group as to whether the municipalities are obliged or authorized to apply bilingual designations for streets, alleys or squares (according to § 3 par. 2 of the Carinthian General Municipal Code) in both the German and Slovenian language, as through the introduction of the street names, legally anchored bilingual locality names and signs are irrevocably deleted or removed.

This topic was discussed in November 2016 at the Carinthian Dialog Forum [Kärntner Dialogforum], where representatives of provincial politics, selected municipalities and representatives of Carinthian-German homeland associations and ethnic group organizations discuss minority issues. Upon the initiative of all three minority organizations⁶ and the Enotna Lista/Einheitsliste party, the topic of ‘street names in Sankt Jakob’ was placed on the agenda. It was pointed out that new, solely monolingual street and road names that rule out indigenous place names contravene the norms of minority protection, e.g. of the Council of Europe (Framework Convention, European Charter for Regional and Minority Languages, European Convention on Human Rights). They also contravene the national objective rooted in federal constitutional law regarding the continuance and preservation of the ethnic group, and also Article 7 of the Austrian State Treaty.⁷ The minorities’ representatives feared the loss of cultural assets. It was decided at the Dialog Forum to secure legal certainty at the Constitutional Office [Verfassungsdienst] of the Austrian Federal Chancellery.

In the legal statement by the Federal Chancellery in December 2016, it was stated that for ‘streets, alleys or squares’ there was no legal constitutional obligation in accordance with the Ethnic Groups Act (or other constitutional regulation) to carry out this naming in both the German language and in the language of the ethnic group, neither according to the wording nor in consideration of the development history or the legislative aspects documented in the explanations.

It is also stated:

“However, constitutional law does not run counter to such an approach: as part of communal autonomy and provincial legal regulations, the municipalities are free to give ‘streets, alleys or squares’ a bilingual name.”

The municipalities are therefore free to give streets, roads and squares bilingual signs. In Sankt Jakob im Rosental, over many years of discussions no unanimity could be reached to give streets bilingual signs, e.g. *Feistritzter Straße/Bistriška cesta*.

Over the course of the discussions about new street names in Sankt Jakob it became clear, however, that an obliteration of bilingual town and village names would also have meant an irrevocable obliteration of local place names. After the municipal council decree, these are now being made visible and are being maintained with setting up all 22 town signs in both languages in the public sphere.

In the year 2017, recommendations for the naming of traffic areas with criteria for renaming and new naming were decided on and published (see also E/CONF.105/21/CRP.21, 11th UNCSGN 2017) by the Austrian Board on Geographical Names [Arbeitsgemeinschaft für Kartographische Ortsnamenkunde (AKO)], as the expert committee responsible for the standardization of geographical names in Austria.

⁶ Council of Carinthian Slovenes, Central Association of Slovenian Organizations, Community of Carinthian Slovenes

⁷ Serajnik, Franz: Rechtliche Stellungnahme zur Verordnung des Gemeinderates der Marktgemeinde Sankt Jakob im Rosental/Senjakob v Rožu, 11/2016.

The recommendations also drew attention to the fact that for new naming, field names and/or other locally common names should be used.⁸

The recommendations by AKO were also transmitted to representatives of initiatives in the Sankt Jakob im Rosental and Keutschach municipalities, and both municipalities were busy in the year 2017 with the introduction of new street names. The recommendations helped to forge an awareness of local name sources as a cultural asset and of naming the streets according to local particularities and local personalities. In both municipalities, Slovene cultural organizations and Slovene municipal factions have put forward suggestions for preserving the bilingual place names and naming streets according to local field and house names. The field and house names are also stated on maps in both municipalities. In 2010, Slovene field and house names in Carinthia were included into the National Inventory of the Intangible Cultural Heritage of the Austrian Commission for UNESCO (www.unesco.at).

Names and inscriptions of a topographical nature: definitions

In the explanations regarding § 12 of Amendment Federal Law Gazette 1 No. 46/2001, it is stated that Austrian state practice has in principle only ever understood names and inscriptions of a topographical nature as town signs and road signs. As defined by § 12 par. 1, no names or inscriptions of a topographical nature may be names and inscriptions in which the type of office and local specification are stated (e.g. municipal office xy, school xy), names on maps, or street names or names of walking paths. Nor are names on buildings of the fire department and on fire engines included. § 12 only applies to such names and inscriptions of a topographical nature that are applied by regional authorities or other bodies and establishments of public law. Names and inscriptions that are applied by private entities – including ÖBB Austrian Railways or the post service Österreichische Post AG – are exempted from the scope of application of the provision already for this reason.⁹

With this reading of Article 7, paragraph 3, Austrian State Treaty¹⁰, bilingualism is mandatory only for legally prescribed town and road signs.

Official topographical maps

On Austrian official maps, all 164 bilingual place names in Carinthia and all legal bilingual names in Burgenland are recorded. With reference to the publication “Possibilities for a stronger consideration of Slovene place names on current official topographical maps of Austria” [Möglichkeiten einer stärkeren Berücksichtigung slowenischer Ortsnamen in den heutigen amtlichen topographischen Karten Österreichs], which was compiled in 1988 by Peter Jordan, a request was presented at the National Council by the Green delegate Karel Smolle to the Ministry of Construction (responsible for the Federal Agency and the official maps), the consequence of which was an instruction by the Ministry of Construction to the Federal Agency to include the official bilingual settlement names on maps.¹¹

⁸ <http://ortsnamen.at/wp-content/uploads/2018/02/AKO-Empfehlung-Verkehrsf%C3%A4chen.pdf>

⁹ Explanations of the change to the Ethnic Groups Act, Federal Law Gazette (BGBl.) 46/2011: https://www.ris.bka.gv.at/Dokumente/RegV/REGV_COO_2026_100_2_672045/COO_2026_100_2_672116.html

¹⁰ Austrian State Treaty regarding the reestablishment of an independent and democratic Austria: https://www.ris.bka.gv.at/Dokumente/BgblPdf/1955_152_0/1955_152_0.pdf

¹¹ Möglichkeiten einer stärkeren Berücksichtigung slowenischer Ortsnamen in den heutigen amtlichen topographischen Karten Österreichs. [Possibilities of a stronger consideration of Slovene place names in the current official topographical maps of Austria.] Vienna 1988. Austrian Academy of Sciences, Institute of Cartography, Reports and Information, Vol. 6.

Bilingualism is not obligatory, but neither is there anything standing in its way

Names that are not considered as ‘names of a topographical nature’ on the basis of current legal practice can be indicated by municipalities (communal autonomy) and by private persons in the additional language of the ethnic group or with the traditional local geographical name.

For example, this applies to names of municipal offices, in schools (by the school body), at bus stations (by the operators of bus lines), at fire departments (by the fire brigade), at train stations (by ÖBB), at cultural establishments, shops, banks, retirement and nursing homes (by the owners and bodies), on walking paths (by the alpine associations and those maintaining the paths), on regional and hiking maps, etc. Bilingualism is practiced on some websites of the bilingual municipalities, and recently also on election posters at municipal council elections in bilingual municipalities.

This opens up the possibility of using the ethnic group language and thus making an important contribution to preserving the indigenous language that is strongly threatened by assimilation.

Final comments

In conclusion it can be said that the utilization of communal autonomy for the implementation of bilingual town signs and street names marks a turning point for the Carinthian minority situation: For the first time since the early 1970s it was not the federal legislator who had to interfere to safeguard minority rights and minority protection in this Austrian province. In contrast, they could be extended through majority decisions at the local and regional levels. This is due to a much more favorable political climate initiated by the ‘town-sign compromise’ of 2011 and associated developments.

The Group of Experts is requested to:

- (1) Take note of a major turn in minority place-name standardization in the Austrian federal province of Carinthia.
- (2) Discuss the modes of minority place-name standardization in a comparative way.
- (3) Arrive at recommendations for minority place-name standardization taking into account the various historical, cultural, political and economic backgrounds.