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The Ethnic Quota System in South Tyrol

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In 2026, the entry into force of enactment decree DPR 752/1976 that implemented ethnic quotas in the public sector in South Tyrol marks its 50th anniversary. To recognise the occasion, this policy brief provides an overview of the origins, legal foundations, implementation, and current challenges of the ethnic quota system in South Tyrol. The aim is to contribute to the broader debate beyond the case of South Tyrol on the use of ethnic quotas as a balancing mechanism in plural societies, particularly those made up of minority groups.

WHAT IS THE ETHNIC QUOTA SYSTEM?

For the past half century, the ethnic quota system has been a central element of South Tyrol's autonomy. The system primarily governs the **allocation of public sector positions** in proportion to the numerical **size of the three recognised linguistic groups** (German, Italian, and Ladin). This system complements other ethnic quotas that apply to the **holding of political mandates** and to the distribution of certain **provincial budget resources**, notably in the social and cultural fields.

The ethnic quota system is based on a regular **census of the size of the linguistic groups**. To benefit from the ethnic quota regime, citizens must further submit an **individual declaration of linguistic-group affiliation**.

The ethnic quota system emerged as a response to historic imbalances between the linguistic groups and is closely linked to minority protection, bilingualism and trilingualism, and the functioning of the public sector. It applies in particular to the filling of positions in:

- state administrations and bodies in South Tyrol,
- the provincial administration and many subordinate bodies,
- certain public services that were privatized (e.g. railways and postal services).

Its central objectives were and remain:

- fair representation in public offices and services,
- multilingual administration,
- the reduction of social inequalities,
- building trust between the linguistic groups.

The proportionality system must be distinguished from the **parity system**, which provides for an equal numerical distribution of certain positions among the linguistic groups rather than proportionality. Examples include the composition of the Autonomous Section of Bolzano of the Regional Administrative Court and the Commission of Six.

While the ethnic quota system has made a major contribution to balancing interests between the linguistic groups, today it faces challenges such as **shortages of skilled staff**, **growing social diversity**, and **changing patterns of identity**.

ORIGINS AND IMPLEMENTATION

As part of the **Italianisation policy** under fascism, the language and culture of German- and Ladin-speaking citizens in South Tyrol were publicly banned and suppressed. German-speakers were largely

excluded from jobs in the public sector. In 1946, Italy undertook, in the **Gruber-De Gasperi Agreement (Paris Agreement)**, to ensure a more appropriate distribution of public posts among the linguistic groups in South Tyrol, declaring:

... equality of rights as regards the entering upon public offices, with a view to reaching a more appropriate proportion of employment between the two ethnical groups.

The agreement concluded between Austria and Italy establishes Italy's obligation under international law to safeguard the linguistic-institutional balance in the province. Although the Ladin-speaking group is not explicitly mentioned, the provision is now interpreted as requiring a balance among all *three* linguistic groups.

At that time, public sector jobs in South Tyrol amounted to **almost 29,000 positions in total** - one fifth of all jobs available in the province.

The **First Autonomy Statute of 1948**, which is an Italian Constitutional Law, initially contained only a proportionality rule for the composition of local bodies (Art. 54). By the 1960s, it had become clear that structural inequalities persisted, above all in national offices located in South Tyrol. The **Commission of Nineteen**, in its final report of 1964, recommended binding quotas to counter the underrepresentation of the German-speaking population in national offices as a measure of reconciliation. As a result, the ethnic quota rule for state positions became a core element of the "**Package agreement**" of 1969.

The decisive legal step came with the **Second Autonomy Statute of 1972**, whose Art. 89 provided that **all national administration positions located in South Tyrol** should be allocated according to the size of the linguistic groups. The only exceptions were military facilities, senior staff of the Questura (National Police Department) and the Government Commissioner's Office, police forces, administrations of the Ministry of Defence, and state teaching staff. The implementation was to take place **gradually** through the filling of vacant posts, so that nobody was fired.

Practical implementation was initially delayed because the state administrations did not disclose their staffing plans in the province and made a series of new hires from other provinces in violation of the ethnic quota rule. As late as 1975, only **14% of the just over 6,000 relevant state positions** were held by members of the German- and Ladin-speaking minority. Only following **enactment provision DPR 752/1976 - issued during the government of Aldo Moro** – was the ethnic quota system decisively implemented. Among other things, the decree laid down:

- the establishment of **local staffing plans**,
- the holding of **provincial level competitions**,
- rules on **protection against transfers** (transfers out of South Tyrol only in cases of "serious and justified service needs"),
- the **census of the size of the linguistic groups** and
- the regulation of **bi- and trilingualism exams**.

In 1977, the first public competition procedures under the ethnic quota rules were taken place in Bozen/Bolzano in German and Italian. In addition, the **first language proficiency examinations** were held; applicants can only take up positions in the public administration after passing an exam on **bilin-gualism or trilingualism** and obtaining the corresponding **certificate**. The following years showed clear effects: while, in 1979, German- and Ladin-speaking state employees held around one quarter of the

relevant posts, [their share rose to around 44% by 1986](#). Because state administrations repeatedly attempted to circumvent the system, an amendment was introduced in the 1990s to require staff transferred to South Tyrol in violation of the ethnic quotas to gradually return to their home posts. In 1997, a time window was created during which employees could “regularise” their employment in South Tyrol under certain conditions (e.g. earning the certificate of bilingualism).

The application of ethnic quotas to **positions in the provincial administration**, the largest public employer in the province (including staff of the Provincial Council, the Chamber of Commerce, the South Tyrol broadcasting corporation, and other subordinate provincial bodies), was also provided for in the Autonomy Statute (Art. 61). However, only in 1988, after lengthy political negotiations within the provincial government, was an agreement reached between the coalition partners ([Provincial Law No. 40/1988](#)).

PRIVATISATIONS AND STAFF SHORTAGES

The **waves of privatisation affecting public services such as postal services and railways** in the 1990s created challenges for the ethnic quota system. At first, the Italian Constitutional Court principally confirmed ethnic quotas as a constitutionally legitimate instrument of minority protection. It also held that the ethnic quota system continued to apply in partially privatised areas such as railway services. However, the **Constitutional Court judgment no. 260/1993 ("Iritel judgment")** found that fully privatised bodies were no longer subject to the ethnic quota rules. In response, the province demanded a political answer to prevent the **looming erosion of the ethnic quota system**. As a result of negotiations, an additional enactment provision (DPR no. 354/1997) was issued, specifying that ethnic quotas would continue to apply **to privatised public services in the postal, telecommunications, and state railway sectors**. Shortly afterward, it was established that ethnic quotas operated as well within Italian state-controlled agencies and their successor institutions.

Because many posts reserved for one linguistic group could not be filled for lack of applicants, a **flexible application** of ethnic quotas was adopted (DPR No. 354/1997): in shortage situations, members of the other linguistic groups may also be recruited to a limited extent.

Since 2010, **staff shortages, chiefly in the health sector**, have intensified. Over the years - in line with this "flexible quota system" - [contract-based and fixed-term appointments](#) have therefore been permitted even for applicants lacking a certificate of bilingualism, first for a maximum of three years and, [since 2019, for up to five years](#). Since last year, the [new enactment decree no. 97/2025](#) has also allowed national offices located in the province to hire temporary staff in deviation from ethnic quotas when at least 10% of the positions reserved to a language group remain vacant. Currently, within a five-year period (until 2030), applicants may therefore be hired exceptionally even **without a certificate of bilingualism and without a declaration of linguistic-group affiliation**.

CENSUS, LINGUISTIC-GROUP AFFILIATION, AND CRITICISM

The functioning of the ethnic quota system depends on **reliable data on the size of the linguistic groups**. Since **1981**, the **general population census** has recorded each citizen's **linguistic-group affiliation** every ten years. Only those who declared their linguistic-group affiliation could thereafter

benefit from the individual rights linked to the ethnic quota regime and, for example, hold public offices. The requirement to make a named declaration of belonging to one of the three linguistic groups attracted particularly **strong criticism**. A leading figure of this backlash was the then Provincial Council member and later Member of the European Parliament Alexander Langer (*New Left / Nuova Sinistra*), who saw the rule as an obstacle to the interethnic cohesion because it forced people into "ethnic cages." A cross-linguistic citizens' movement took legal action against the obligation to assign oneself to (only) one of the three linguistic groups. In 1984, the **Council of State**, Italy's highest administrative court, struck down the provisions that had previously excluded mixed or "other" identities.

In the **1991** census, the possibility was therefore added to declare oneself as "other" - that is, as belonging to none of the three linguistic groups. Nevertheless, people were still required to "aggregate" themselves with either the German, Italian, or Ladin linguistic groups. Another innovation was that the **general linguistic-group census** and the **personal declaration of linguistic-group affiliation** were carried out separately from one another.

The underlying idea that citizens must declare themselves as belonging to an ethno-linguistic group also prompted discussion in European fora. The **Advisory Committee on the Framework Convention for the Protection of National Minorities** of the Council of Europe repeatedly reminded Italy that every citizen must be free to self-identify ethnically and linguistically - without predefined categories. Various instruments of international law, such as the International Covenant on Civil and Political Rights, the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and the OSCE Lund Recommendations on the Effective Participation of National Minorities in Public Life, stress that the **necessity to record the population's ethno-linguistic composition needs to be balanced with the protection of individual freedoms** (including data protection).

When an **EU infringement procedure** concerning the ethnic quota system and the linguistic-group affiliation was launched at the beginning of the new millennium, another **reform** followed in 2005. Since then, the personal declaration of linguistic-group affiliation can be made **at any time** ("ad hoc"); the declaration is kept in a sealed envelope at the provincial court. To prevent abuse, changes are only possible after five years and take effect only after a further two years.

ETHNIC QUOTAS IN POLITICS, SOCIAL WELFARE, AND CULTURAL FUNDING

To ensure the equal participation of the different linguistic groups in public life beyond the allocation of public sector job, also other matters of public interest are governed by the logic of ethnic proportionality. In particular, an ethnic quota provision applies to the distribution of political offices in the Regional Council, the Provincial Council, and the municipalities. Ethnic quotas also govern the **composition of the provincial government**, which must proportionally reflect the numerical size of the linguistic groups in the South Tyrolean Provincial Council.

Regarding the **use of public funds**, the Autonomy Statute provides that expenditure for social welfare and for the cultural sectors must, in principle, be made in proportion to the numerical size of the linguistic groups, while also taking account of their specific needs. This concerns, among other things, housing subsidies (find here the [developments since 1971](#)), the allocation of rental apartments by the social housing institute, and the granting of contributions and subsidies to public and private bodies for cultural and artistic activities.

SOCIETAL CHANGE AND THE FUTURE

Since its introduction, the ethnic quota system, as a core instrument of minority protection, has made a substantial contribution to **reducing historic inequalities** and to aligning the composition of the administration more closely with the make-up of South Tyrol's population. Beyond overcoming historical imbalances, the ethnic quota regime can be regarded as a **mechanism** that continues to guarantee the peaceful cohabitation of the linguistic groups.

In the face of societal change, the ethnic quota system is being confronted with the question of how new groups of people can be included. Reforms and flexibilisation have already contributed to opening the system. Since 2015, the personal declaration of linguistic-group affiliation can also be made by **EU citizens, legally resident third-country nationals, and recognised refugees**. In the 2024 general linguistic-group census, which for the first time was also conducted **digitally**; however, only persons holding Italian citizenship resident in South Tyrol were counted. Over the years, **proposals for liberalisation** of the rules, which sometimes are perceived as rigid, have repeatedly been put forward, such as the proposal to temporarily suspend the quota system in certain sectors where a proportionate distribution of posts has been achieved, or the proposal to better include those who declare themselves to be "other."

While access of German-speaking South Tyroleans to national public positions was once demanded forcefully, those posts have **lost considerable numerical importance** since many competences were transferred to the province in the 1990s. In fact, the few thousand positions remaining available in national offices in South Tyrol are still not distributed in proportion to the actual size of the linguistic groups: while members of the German linguistic group make up around 69% of the total population according to the latest census (2024), they hold only [around 42% of state positions](#) as the latest 2023 data shows, reflecting a downward trend. Moreover, multiple [cases of fraud in obtaining the certificate of bilingualism](#) were detected in 2025, leading to renewed public debate over the language requirements for access to public-sector posts.

The use of ethnic quotas remains a sensitive topic. Tellingly, the [expert committee in the 2017 Convention on Autonomy](#) failed to reach consensus on whether to extend, permit greater flexibility, or temporarily suspend the ethnic quota regime and instead spoke unanimously in favour of retaining it in its current form. In 2025, 72% of the German-speaking population, 73% of the Ladin-speaking population, and 53% of the Italian-speaking population viewed the **ethnic quota system** as an [important contributor to peaceful coexistence](#). At the same time, however, 56% of South Tyroleans also believed that it could have negative effects on the quality of public services.

[International and European comparisons](#) show that quota systems and similar measures to combat inequality, particularly in public administration, are [common in other legal systems as well](#) (see, for example, Belgium, Bosnia and Herzegovina, Northern Ireland, India, Nigeria, Singapore, Cyprus, Macedonia, Croatia, etc.). The key remains to strike a balance between the interests of minority communities, individual freedoms, and societal change. 50 years after its implementation, the question of whether South Tyrol's ethnic quota system remains fit for the future ultimately depends on its **capacity for continuous adaptation**.

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