



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 13 October 2010

ECRML (2010) 7

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN LUXEMBOURG

Second Report of the Committee of Experts on the Charter

adopted on 3 June 2010 and

presented to the Committee of Ministers of the Council of Europe

in conformity with Article 16 of the Charter

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making Recommendations for improvements in its legislation, policy and practices. The central element of this procedure is the Committee of Experts, established in accordance with Article 17 of the Charter. Its principal purpose is to examine the real situation of the regional or minority languages in the State, to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers has adopted, in accordance with Article 15.1, an outline for the periodical reports that a Party is required to submit to the Secretary General. The report shall be made public by the government concerned. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under its Part II and in more precise terms all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee's first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee's role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee gathers information from the respective authorities and from independent sources within the State, with a view to obtaining a just and fair overview of the real language situation. After a preliminary examination of a periodical report, the Committee submits, if necessary, a number of questions to the Party concerned on matters it considers unclear or insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot" visit of a delegation of the Committee to the respective State. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention.

Having concluded this process, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers, together with suggestions for recommendations that the latter may decide to address to the State Party.

Chapter 1 Background information

1. The Grand Duchy of Luxembourg signed the European Charter for Regional or Minority Languages (hereafter referred to as "the Charter") on 5 November 1992 and approved it by a law on 8 April 2005 which was published in the Official Journal on 25 April 2005 (A - Nr 55). Luxembourg ratified the Charter on 22 June 2005. The Charter entered into force for Luxembourg on 1 October 2005.
2. In accordance with Article 15.1 of the Charter, Luxembourg presented its second periodical report to the Secretary General of the Council of Europe on 6 May 2010. The report has been made public.
3. The present report was adopted by the Committee of Experts on 3 June 2010.

1.1 The work of the Committee of Experts

4. The Committee of Experts took note of the second periodical report of Luxembourg, which confirms the information provided in the initial report according to which there are no regional or minority languages used in Luxembourg. Nevertheless, the Luxembourg authorities affirm their continued support to the principles and objectives of the Charter. As the Charter is not applicable to any regional or minority language in Luxembourg, the Committee of Experts has not considered it necessary to organise an on-the-spot visit as it has done in relation to other States Parties.

Chapter 2 Findings of the Committee of Experts

- A. The Committee of Experts commends the authorities of Luxembourg for the commitment and European solidarity they have demonstrated by ratifying the Charter.
- B. The Committee of Experts has concluded that, in the light of the situation whereby in Luxembourg no regional or minority languages are spoken on its territory, it will not propose to the Committee of Ministers to forward any recommendations to the Grand Duchy of Luxembourg.
- C. The Committee of Experts would be glad if the Committee of Ministers would express to the Government of Luxembourg its appreciation of the valuable contribution it has made to the protection and promotion of regional or minority languages in Europe by its ratification and active contribution to the promotion of the Charter.

Appendix I: Notification of Ratification

SECRETARIAT GENERAL

**DIRECTORATE GENERAL I
LEGAL AFFAIRS**

Please quote : JJ6086C
Tr./148-44



Strasbourg, 28 July 2005

NOTIFICATION OF RATIFICATION

State : Luxembourg.

Represented by : Mr Ronald MAYER, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Luxembourg to the Council of Europe.

Instrument : European Charter for Regional or Minority Languages, opened for signature, in Strasbourg, on 5 November 1992 (ETS No. 148).

Date of entry into force of the instrument : 1 March 1998.

Date of ratification : 22 June 2005.

Date of entry into force in respect of Luxembourg: 1 October 2005.

Reservations : /

Declarations : /

Signatory States : Azerbaijan, Czech Republic, France, Iceland, Italy, Malta, Moldova, Poland, Romania, Russia, Serbia and Montenegro, "the former Yugoslav Republic of Macedonia", Ukraine.

Contracting States : Armenia, Austria, Croatia, Cyprus, Denmark, Finland, Germany, Hungary, Liechtenstein, Luxembourg, Netherlands, Norway, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom.

Notification made in accordance with Article 23 of the Charter.

Copy to all member States.

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