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Addendum 2

THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

(MIN-LANG)

**Third Periodical Report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

GERMANY

***Replies to the Questions submitted to the
Government of Germany regarding its 3rd Periodical Report***



Bundesministerium
des Innern

Federal Ministry of the Interior
Federal Republic of Germany

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PRELIMINARY SECTION

1. Please provide the necessary background information, such as the relevant historical developments in the country, an overview of the demographic situation with reference to the basic economic data for the regions, as well as information on the constitutional and administrative structure of the State.

Question no. 1. Please provide information on the demographic development in the **Sorbian** language areas in Saxony and Brandenburg (see 2nd evaluation report, para. 10).

Answer No. 1. In response to this request, **Brandenburg Land** provides the following information:

On account of significant surplus mortality rates and major out-migration losses, the population numbers in the Sorbian speech area in Brandenburg *Land* have been declining for years. As forecast in the Brandenburg Demographic Report (download link: www.stk.brandenburg.de/cms/media.php/1168/db_end.pdf), this development will progress further in the years to come. This development is caused, in particular, by the poor infrastructure in those of the *Land's* regions that are at a great distance from Berlin, and this results in slack economic development and thus means a relatively small number of jobs on offer. Therefore, the members of younger age-groups, in particular, move away from Lusatia (as well as from the other areas that are far away from Berlin, such as Uckermark and Prignitz); this consequently entails declining birth rates.

The *Land* Government applies a set of measures with the aim of controlling the decline in a way that is responsive to social concerns but, in the last analysis, it will not be able to stop this trend.

The answer provided by the Free State of **Saxony** is as follows:

The *Land* Statistical Office of the Free State of Saxony (in Kamenz) supplied the demographic statistical data for the Sorbian settlement area on the basis of the results contained in the fourth region-based population forecast for the Free State of Saxony for the period up to 2020. For Saxony (and its 22 *Landkreise* and 7 *kreisfreie Städte*), this up-to-date population forecast covers the period from the end of 2005 (actual population numbers) until 2020 (projected developments). This forecast is based on assumptions as regards the birth rate, life expectancy, and the development of migration patterns (each criterium being based on the analyses of demographic trends over the past five years). It must be underlined that **no separate data** on the Sorbian population have been, or are now, recorded; however, the collected data on the *total* population of the Sorbian settlement area may be assumed to be indicative also of the demographic trends regarding the Sorbian population: For the period starting with the year 1990 (1990 = 100), with a population numbering 276,000 inhabitants, the demographic development (with the respective points related to the 1990 base value of 100 included in parentheses) has been, or is expected to be, as follows: 244,000 in the year 2000 (= 88.2); 221,000 in the year 2006 (= 79.9); and finally 184,000 in the year 2020 (= 66.7). In a nutshell, the forecast says that the population figure in the Sorbian settlement area will decline from the present number of 221,000 persons to an anticipated number of 184,000 persons in 2020. In the year 2020, the majority of the inhabitants of the Sorbian settlement area will be in the age groups "45 to 65 years" and "65 years and older" (59,000 and 56,000 persons, respectively).

3. Please indicate the number of speakers for each regional or minority language. Specify the criteria for the definition of "speaker of regional or minority language" that your state has retained for this purpose.

Question no. 2. Have the *Länder* of northern Germany taken any measures to collect more reliable and up-to-date data with respect to the situation of the **Low German** language (see 2nd evaluation report, para. 10 and 3rd periodical report, para. 16)?

Answer No. 2. The **Federal Government** reports the following cross-State measure:

On the basis of the project-related application of 7 December 2006, the Federal Government Commissioner for Culture and the Media (*BKM*) in the fiscal year 2007 supports the project "*Wer spricht Plattdeutsch*" ("Who speaks Low German") run by the *Institut für niederdeutsche Sprache (INS - Institute for the Low German Language)* in Bremen, with federal funds amounting to a maximum of 53,351.00 euro. This project is aimed at promoting, and responding to, the cultural policy interest as regards data on the actual situation - in community life and society - of the regional/Low German language, on the basis of a full-coverage representative survey of the current use and appraisal of the Low German language (linguistic competence as regards basic language skills) and of the communion radius, differentiated according to language use.

Brandenburg Land reports that at present no up-to-date data are available on the number of Low German speakers.

The Free and Hanseatic City of **Hamburg**, on the other hand, supplies the following information in addition to the Federal Government's answer:

The Bremen-based *Institut für niederdeutsche Sprache (INS - Institute for the Low German Language)* - which in 2007 made a survey of the speech areas and use of the Low German language - is also co-financed by Hamburg. The contents and structure of the survey were defined by a working group consisting of university representatives and the *INS* managing directors; the survey was conducted by a prestigious Hamburg-based polling institute (*IFAS - Institute for Applied Statistics*).

The collected data (for Hamburg) are analyzed by the Low German Language and Literature Section of Hamburg University in a project entitled "*Hamburgisch – Sprachkontakt und Sprachvariation*" ("The Hamburg vernacular - language contacts and linguistic variations"). The key subjects are "*Niederdeutsch im öffentlichen Raum*" ("Low German in the public sphere"), "*Kommunikation im Alltag*" ("Communication in everyday life") (with a focus, in particular, on the municipal districts in the Süderelbe area: Altenwerder, Moorburg, Finkenwerder), and "*Sprachbiographien*" ("Linguistic biographies").

With regard to the aforementioned project "*Wer spricht Plattdeutsch*" organized by the Institute for the Low German Language (*INS*) and subsidized by the Federal Government Commissioner for Culture and the Media (*BKM*), the *Land of Mecklenburg-Western Pomerania* points out that the phone-in sample survey in Mecklenburg-Western Pomerania took place in September 2007 so that information on the linguistic data will be available soon for this *Land* as well.

The *Land of Saxony-Anhalt* provides the following information:

A new survey as defined in Question no. 2 has not been conducted in Saxony-Anhalt and is not considered necessary in the future, either, since - irrespective of the tentative definition of "speaker/s" - updated statistics on Low German speakers in this *Land* will *not* be a decisive factor as regards the *Land's* promotional activities.

(By the way, the reference to para. 16 of the 3rd Periodical Report does not give the correct number!)

Schleswig-Holstein *Land* reports the following:

The Bremen-based *Institut für niederdeutsche Sprache (INS - Institute for the Low German Language)* - which carries out the aforementioned survey also in Schleswig-Holstein, is in part subsidized also by this federal state.

In addition, the *Zentrum für Niederdeutsch* (Low German Centre) in Leck conducted and analyzed a survey commissioned by the Schleswig-Holstein Ministry for Education and Women on the use of Low German at the *Land's* schools during the 2006/2007 school year.

Schleswig-Holstein *Land* expects that the Committee of Experts will, during its on-the-spot visit, have talks with both the *INS* and the *Zentrum für Niederdeutsch*.

The *Land of Lower Saxony* reports the following:

Every two years, the Lower Saxon *Land* Government asks the competent authorities, institutions and associations for information on media activities aimed at promoting the Low German language, and records/files are maintained of these data. In addition, publications in the media on the promotion of the minority languages are being collected and archived on a continuous basis. Thus, up-to-date information is available at all times.

As regards schools, the decree on "*Die Region im Unterricht*" ("The region in classroom instruction") is to be updated. As part of this revision, it is planned to take account also of measures regarding feedback information on the frequency and extent of Low German language use in the context of both required language courses and optional language learning in classroom instruction at primary and secondary schools.

5. Please provide recent general statements on the policy of your State concerning the protection of regional or minority languages where it may be of use to supplement the above four points.

ROMANY language

Question no. 3. Since the Framework agreement was concluded between the *Land* of Rhineland-Palatinate with the association of German Sinti and Roma in 2005, has there been a meeting between the State Chancellery and the *Land* association of German Sinti and Roma on how to implement the programmes (see 3rd periodical report, para. 15a)?

Answer No. 3. Answer provided by the Land of Rhineland-Palatinate:

Under Article 7 of the Framework Agreement of 25 July 2005, the *Land* Government and the *Verband Deutscher Sinti und Roma - Land Association of Rhineland-Palatinate* - shall endeavour to have regular meetings in order to develop and foster their relations.

The lead department for these matters is the Ministry of the Interior and for Sports. Following the conclusion of the Framework Agreement in 2005, the Minister of the Interior of Rhineland-Palatinate had talks with both the President of the *Zentralrat Deutscher Sinti und Roma* and the Chairman of the Rhineland-Palatinate *Land* Association of Sinti and Roma. In addition, the Chairman of the *Land* Association and his staff and officials from the Ministry of the Interior meet for regular special-subject discussions. The issues discussed during these talks always include the implementation of the programmes described in the Framework Agreement.

Question no. 4. Has the *Land* association submitted any application for project funding?

Answer No. 4. Answer provided by the Land of Rhineland-Palatinate:

Under Article 2 of the Framework Agreement, the *Land* Government supports initiatives of the *Land* Association that are aimed at preserving the culture and language of the Sinti and Roma.

Upon request by the *Land* Association, also the project "Organization and implementation of the activities of the *Verband Deutscher Sinti und Roma* for the preservation and promotion of the culture and language of the Sinti and Roma" will be supported as part of the promotion scheme for voluntary service. Moreover, the *Land* Association announced that next year it will launch another initiative for the preservation of the group's culture and language and for educational activities and to this end will file an application for project-oriented promotion.

General issue:

Question no. 5. Has the Ministry of the Interior adopted a decision on the possibility to create a brochure on languages protected by the Charter (see 3rd periodical report, para 23)?

Answer No. 5. The **Federal Ministry of the Interior** intends to publish the brochure on "Regional and Minority Languages in Germany" in the near future, i.e. in 2007 if possible. The editorial work is on the way; by letter of 27 August 2007, the Federal MOI asked the relevant associations for their inputs.

PART I

1. It is understood that full details of the measures taken to implement the recommendations of the Committee of Ministers will appear in the body of the report. Nevertheless, please summarise those measures for each recommendation.

Recommendation 5: *"take resolute action to establish a structured policy for making it practically possible to use regional or minority languages in dealings with the administration and, where relevant, in the courts";*

Question no. 6. The German authorities consider that this recommendation is too demanding given the budgetary constraints faced by public budget and that it would meet with resistance. Have any concrete proposals been made to the *Länder*, has any concrete action plan been expressly refused? Have any of the *Länder* authorities officially expressed resistance to such a policy (as stated in the 3rd periodical report)?

Answer No. 6. The demand for a structured policy for making it practically possible to use regional or minority languages in dealings with the administration and, where relevant, in the courts has, on several occasions, been the subject of the consultations at Implementation Conferences. As stated in No. 28 of the Third Periodical Report, the *Länder* consider that, with due account being taken of the different general conditions, practical possibilities to use the Low German language do exist on an adequate scale and that the Regional/Minority Language Charter does not call for any voluntary creation of a demand for such possibilities. Also, attention is drawn to the fact that proposals for the use of languages by judicial and administrative authorities of the *Länder* do not come within the Federal Government's responsibility.

PART II

1. Please indicate what measures your State has taken to apply Article 7 of the Charter to the regional or minority languages referred to in paragraphs 1 and 3 of Part I above, specifying the different levels of government responsible.

Article 7: Objectives and principles

Paragraph 1

In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:

- a. *the recognition of the regional or minority languages as an expression of cultural wealth:*

Question no. 7. Are there constitutional provisions devoted to SATER FRISIAN or ROMANY in any of the *Länder*? Are there other *Länder* where LOW GERMAN is traditionally spoken, which recognise in their constitution the protection and promotion of Low German (like the *Länder* of Mecklenburg-Vorpommern or Schleswig-Holstein)?

Answer No. 7. **Berlin Land** reports that the Constitution of Berlin (*Verfassung von Berlin - VvB*) does not contain any provisions referring specifically to the Romany language.

As reported by **Brandenburg Land**,

Low German is traditionally spoken in the northern regions of Brandenburg *Land*, but protection/promotion of this language has not yet been included in the *Land* Constitution.

As stated by the *Land* of **North-Rhine/Westphalia**,

there are no explicit provisions in this *Land's* Constitution, either, that refer to Low German or the Romany language.

The *Land* of **Lower Saxony** reports the following:

On the occasion of the 60th anniversary of the constituent session of the first Lower Saxon *Landtag*, the first supraregional edition of the Lower Saxony *Land* Constitution in the Low German language was presented to the President of the Lower Saxon *Landtag*. With this "*Neddersassisch Verfatzen*", the *Land* Government underlines the importance of the Low German language in Lower Saxony and thus expressly promotes bilingualism.

Saxony-Anhalt Land reports that

its *Land* Constitution, too, does not contain any explicit provisions devoted to Low German.

- b. *die Achtung des geografischen Gebiets jeder Regional- oder Minderheitensprache, um sicherzustellen, dass bestehende oder neue Verwaltungsgliederungen die Förderung der betreffenden Regional- oder Minderheitensprache nicht behindern;*

Sorbian

Question no. 8. As regards the envisaged restructuring of the rural counties and non-district municipalities of the Free State of SAXONY, has any decision been taken yet? If so, how have the interests of Sorbian-speakers been taken into consideration? (see 3rd periodical report, para. 34)?

Answer No. 8. The answer provided by the Free State of **Saxony** is as follows:

According to the bill on the territorial reorganization of the *Landkreise* of the Free State of Saxony, the Sorbian settlement area is, for the major part, to form one administrative unit since the two *Landkreise* of Bautzen and Kamenz and Hoyerswerda, which at present is a *kreisfreie Stadt*, are planned to form the new Bautzen *Landkreis*. A final decision on this matter may be expected at the end of 2007 provided that the Saxon *Landtag* will then adopt a law to this effect. The territorial reorganization project is not expected to affect the Sorbs in any other respect in terms of the European Regional/Minority Language Charter because the new law does not entail any further changes to the existing legal framework.

Question no. 9. During the second monitoring round, the Committee of Experts received reports on possible RESETTLEMENTS due to lignite mining in the region (Lower Lusatia in Brandenburg). Have any such resettlements taken place?

Answer No. 9. On this point, **Brandenburg Land** reports the following:

The area of the village of Horno has been dedicated to uses entailed by mining activities, and the population has been resettled; the majority of the former Horno inhabitants accepted the offer of a community move to a newly established settlement in the area of the town of Forst.

No further resettlements have taken place so far.

According to current information, the mining company only planned surface exposure of the stripping site (open-pit field) of Jänschwalde-Nord, with the inclusion of the area additional settlements: this would affect the communities of Atterwasch, Kerkwitz and Grabko, where excavation work could be completed by 2028. However, none of these three communities has declared that it belonged to the traditional settlement area of the Sorbian people.

However, further plans have now been made known by the Vattenfall company, saying that, as of 2025, it intends to open up the stripping site of Welzow-Süd, in addition to the Jänschwalde-Nord site. Strip mining is to be taken up in Welzow-Süd after the communities of Proschim (Sorbian), Lindweiler and Welzow-Bergarbeitersiedlung (both non-Sorbian) have been cleared by excavation. A total of 2000 persons are said to be affected by this project.

As of 2035, open-pit mines are to be opened up in Bagenz-Ost and Spremberg-Ost without making use of any settlement areas.

All of these, however, are only *plans* of the mining company; no procedures to obtain a permit under mining law or land-use planning procedures have been instituted so far.

f. the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;

Low German

Question no. 10. Please report on any joint initiative in the field of education between the *Länder* where Low German is spoken (but not covered by Part III).

Answer No. 10. The **Federal Government** has engaged in the following cross-State activities in the field of education:

The Federal Ministry of the Interior in 2007 provides federal funds amounting to 6,300 euro for the project "*Niederdeutsche Lehrwerke sowie Kinder- und Jugendliteratur*" ("Low German textbooks, and literature for children and young people") comprising a total of 2,000 books. By means of networking and provision of information, this project aims at supporting supraregional awareness of Low German as a speech community. This Low German compendium is an instrument for fostering linguistic consciousness covering the entire Low German speech area.

Brandenburg Land reports that in the period under review, there have been no initiatives as defined in Question no. 10 in this federal state.

No such initiatives are known to have been taken in the *Land* of **North-Rhine/Westphalia**, either.

However, the *Land* refers to the meeting of officials from ministerial divisions of the *Länder* and the Federal Government in Magdeburg on 19/20 June 2007.

After the Committee of Experts, pointing to the risk of *Länder* acting in isolation, had already in the second evaluation report on the application of the Charter (Part II, para. 21) recommended co-operation between those of the *Länder* that comprise Low German speech areas and had proposed consultations between the responsible officials of the various *Länder* with the aim of strengthening the impact of the measures taken to promote the use of Low German, the aforementioned conference dealt with the school-related subjects of educational offers and curricula, framework curricula, recommendations, etc. for all stages of education. This also included issues related to the integration of Low German in teacher training, including in-service training and follow-up training of teachers.

Lower Saxony reports the following:

Cross-State initiatives regarding school education are not planned at present.

On 8 and 9 June 2006, Oldenburg hosted the symposium "*Niederdeutsch und Friesisch im Bildungswesen – ein Ländervergleich*" ("Low German and Frisian in education - an inter-Land comparison"), organized by the *Niedersächsischer Heimatbund (NHB - Lower Saxony Union for Local and Regional Traditions)*, the public-law corporation *Ostfriesische Landschaft* and "*De Spieker*" (the Low German activities association of the Oldenburg region). At the same time, a meeting was held by the *Bundesrat für Niederdeutsch* (Federal Council for Low German) and the ministerial division officials responsible for Low German from the eight *Länder* that are represented on the Federal Council and in which Low German is still spoken.

Saxony-Anhalt Land

refers to the establishment of the *Beratender Ausschuss für Fragen der niederdeutschen Sprachgruppe* (Consultative Committee on Issues concerning the Group of Low German Speakers) at the Federal Ministry of the Interior and in addition, like Lower Saxony *Land*, to the symposium held at Oldenburg University on 8/9 June 2006 and, like the *Land* of North-Rhine/Westphalia, to the first meeting of officials from ministerial divisions of the *Länder* and the Federal Government at the Ministry of Cultural Affairs in Magdeburg on 19/20 June 2007.

In the view of Saxony-Anhalt *Land*, the distinction between those *Länder* that do not come under the provisions of Part III of the Charter – i.e. North-Rhine/Westphalia, Saxony-Anhalt, Brandenburg – and the other *Länder* does not make sense where cross-State endeavours in the field of education are concerned; instead, only joint initiatives by all of the eight *Länder* that have accepted obligations under the Charter for Low German are considered effective. This latter approach was also one of the objectives of the aforementioned conference in Magdeburg.

Sater Frisian

Question no. 11. Have any measures been taken to develop the teaching of Sater Frisian at primary and secondary levels of education? Have the authorities considered the possibility of extending the scope of Part III protection for Sater Frisian under Germany's instrument of ratification to Article 8, paragraph 1.b and c.?

Answer No. 11. This question is answered by the *Land* of **Lower Saxony** as follows:

With the support of the Lower Saxon *Land* Government, educational materials have been developed for Sater Frisian classes. Such basic language courses are included in the curricula for the subject 'German' in primary and secondary education. In addition, the necessary organizational and staffing arrangements are in place for offering language learning on an optional basis, such as courses in a subject chosen from a compulsory group (*Wahlpflichtkurse*) and activity groups.

It is not planned to extend the scope of Part III protection of Sater Frisian under Germany's instrument of ratification to Article 8, paras. 1.b and 1.c

h. the promotion of study and research on regional or minority languages at universities or equivalent institutions;

Low German

Question no. 12. The Committee of Experts considered that increasing INTER-LAND CO-OPERATION in this area would be particularly useful (see 2nd evaluation report, para. 41). Have any initiatives been taken at university level, especially between institutes of higher education in North Rhein/Westphalia, Saxon-Anhalt and Brandenburg (where Part II applies)?

Answer No. 12. **Brandenburg Land** reports that

the matter raised in Question no. 12 is not, in its view, of relevance to Brandenburg State because it has not accepted any obligations for Low German as regards higher education.

On the other hand, the Free and Hanseatic City of **Hamburg** has the following to report:

The DFG (German Research Foundation) has initiated a project entitled "*Sprachvariation im norddeutschen Raum*" ("Linguistic variation in Northern Germany") in which, in addition to Hamburg University (Project Co-ordinator Prof. Schröder, Chair for Low German, Hamburg University), also the universities of Kiel, Münster, Bielefeld, Potsdam and Frankfurt/Oder take part. (At present, a decision on the application for promotional funds will have to be taken before the project can actually start.)

The answer provided by the *Land* of **Lower Saxony** is as follows:

Oldenburg University traditionally pursues co-operation with the universities of Bremen and of Groningen in the Netherlands. *Inter alia*, this co-operation covers the so-called 'minor' languages (which also include Low German and Frisian), in respect of which Oldenburg University pursues activities across *Land* and national borders.

The *Land* of **North-Rhine/Westphalia**

calls attention to the fact that at the *Länder*/Federation conference mentioned in Answer no. 10, the representatives of the eight *Länder* having Low German speech areas also made an in-depth analysis of the implementation of the obligations accepted under the Regional/Minority Language Charter with regard to higher education.

The **Federal Federal Ministry of the Interior** provides the following supplementary information on this point:

In view of the fact that not all institutions of higher education can offer Low German courses of study to a satisfactory extent and with the desired degree of intensity, and in order to avoid 'scattering' of insufficient offers, the aforementioned conference agreed that the participating *Länder* would study the extent to which one university or the other might be able to offer teaching and research as regards Low German, as one of their specializations, also to interested students from other *Länder*.

Given the *Länder's* autonomy in cultural and educational matters and the autonomy of institutions of higher education, which is guaranteed in Germany, such exploratory talks must be pursued carefully and with discretion and will still take quite some time.

The *Land* of **Saxony-Anhalt**

refers to the information provided in Answer no. 10 and, in addition, reports that Saxony-Anhalt's Ministry of Education and Cultural Affairs is not aware of any initiatives at university level, especially as regards co-operative activities of the universities in North-Rhine/Westphalia, Saxony-Anhalt and Brandenburg.

Romany

Question no. 13. Please give information on the outcome of the cooperation projects with the university of HAMBURG (see 2nd evaluation report, para. 39)?

Answer No. 13. Answer provided by the Free and Hanseatic City of **Hamburg**:

At present, there are no co-operative projects carried out by the Senate Authority for Education and Sports (*Behörde für Bildung und Sport - BBS*) and Hamburg University with regard to the Romany language.

Paragraph 3

The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.

Question no. 14. According to the authorities, several initiatives have been undertaken (3rd periodical report, para. 56) and material has been produced for schools and educational institutes. Please indicate in which federal states such initiatives took place (other than Baden-Württemberg?).

Answer No. 14. As reported by **Berlin**,

the Berlin-Brandenburg *Land* Association of German Sinti and Roma has not yet managed to finalize the planned materials. Nor has an application for promotional funding of such a project been filed so far. (At present, the *Land* Association can only provide homework assistance.)

The Free and Hanseatic City of **Hamburg** reports the following:

The Senate Authority for Education and Sports (*Behörde für Bildung und Schule* (?!)) provided schools expressing an interest in such aids with Low German materials for use in classroom instruction. One example was *Dat Blatt op Platt* ("The Low German (news)paper"). This project was supported by the (Hamburg-based) nonprofit foundation *Carl-Töpfer-Stiftung*.

Schleswig-Holstein reports "nil".

Paragraph 4

In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.

Question no. 15. Please clarify how the umbrella organisation of LOW GERMAN is involved in POLICY-MAKING regarding the Low German language (see 2nd evaluation report, para. 42).

Answer No. 15. From a cross-State point of view, the **Federal Government** has the following to report: For issues concerning the group of Low German speakers, a Consultative Council (comparable to the respective Consultative Councils for issues concerning three of the national minorities and their respective minority languages) was established in 2006 at the Federal Ministry of the Interior; the Council's membership includes representatives of the Federal Government and the *Länder* as well as the *Bundesrat für Niederdeutsch* (Federal Council for Low German: the representation, at the federal level, of the speakers of

the Low German language). The latter can submit policy-related proposals to the Consultative Council and may in appropriate cases be heard, *inter alia*, on planned policy decisions regarding the Low German language. (Cf. no. 6 of the Third Periodical Report.)

In addition, the Federal Ministry of the Interior in 2007 provided federal project-related promotional funds to the amount of 2,200 euro for the preparation and printing of a flyer. This flyer is intended to provide comprehensive information on the existence and activities of the Federal Council for Low German in as many areas as possible in Northern Germany where Low German is spoken. This flyer has an edition of 10,000 copies and has been widely distributed, i.e. in all *Länder* where Low German is spoken. This provides for enhanced feedback between the *Bundesrat für Niederdeutsch* (Federal Council for Low German) and the general public of Low German speakers, which is useful for effective involvement of the Federal Council in decisions on the protection and promotion of the Low German language.

Brandenburg *Land* reports that the umbrella organization for Low German has so far not been involved in policy matters regarding the Low German language.

The Free and Hanseatic City of **Hamburg** provides the following information: Hamburg has the *Plattdüütscher Root för Hamborg* (Low German Council for Hamburg). Members of the parties represented in the *Bürgerschaft* (City-State Parliament) are appointed to this Council. Thus, there are not only just casual contacts but also institutionalized possibilities for NGOs to submit their concerns to the decision-makers and to act as points of contact for advising the public authorities on all matters relating to the regional language.

Saxony-Anhalt *Land* refers to the aforementioned Consultative Council at the Federal Ministry of the Interior and in addition provides the following information:

At the *Land* level, reference is made again (see also No.16 of the 3rd Periodical Report) to the newly included "AG *Niederdeutsch*" (Working Group on Low German) at the Ministry of Education and Cultural Affairs, which affords speakers of this language an opportunity to inform the *Land* Government of their needs and wishes.

Question no. 16. During the second monitoring cycle, the Federal Commissioner for Matters relating to Repatriates and National Minorities informed the Committee of Experts that consultative Committees (*Beratende Ausschüsse*) for issues concerning the NORTH FRISIAN speakers would be set up. Has this been achieved (see 2nd evaluation report, para. 43)?

Answer No. 16. The constituent meeting of the Consultative Committee on Issues concerning the Frisian Ethnic Group (*Beratender Ausschuss für Fragen der friesischen Volksgruppe*) at the Federal Ministry of the Interior took place already in June 2005 (cf. No. 6 of the Third Periodical Report). Since then, one meeting has been held per year.

PART III

For each regional or minority language chosen at the moment of ratification, as follows from paragraph 2 of Article 2 of the Charter, please indicate in which way the paragraphs and/or sub-paragraphs have been implemented (see Appendix).

When indicating the measures taken in order to implement each paragraph or sub-paragraph chosen, please specify the relevant legal provision and the territory where they are applicable.

Danish in the Danish language area in *Land* Schleswig-Holstein

Article 8 - Education

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings which will be made public.*

Question no. 17. Has the Ministry of Education in Schleswig-Holstein considered incorporating their relevant findings on Danish education in the next Report on Minorities (see 2nd evaluation report, para. 56)?

Answer No. 17. The answer provided by the *Land* of **Schleswig-Holstein** is as follows:

The Report on Minorities is submitted by the *Land* Government to the Schleswig-Holstein *Landtag*. The next report is expected to be presented in December 2007. Danish language education is not covered by the Report on Minorities.

Nevertheless, in view of the proximity to Denmark and the excellent neighbourly relations as regards educational matters, the Ministry for Education and Women intends to offer Danish at more publicly maintained schools than has been the case so far. At its 64th session on 12 July 2007, the Schleswig-Holstein *Landtag* requested the *Land* Government to submit a report on the status of, and perspectives for, Danish language learning by the majority population in the *Land*'s northern region. This report makes an in-depth analysis of the existing scope for promoting Danish language learning by the majority population. The analysis takes account of the quantitative developments over the past ten years regarding learning groups and participants in courses offered by schools and adult education centres.

In addition, the 2007 Report on the Regional/Minority Language Charter also includes comments on these issues. The report can be supplied to the Committee of Experts and is available on the *Land* Government's homepage.

Article 10 - Administrative Authorities and Public Services

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a v) to ensure that users of regional or minority languages may validly submit a document in these languages;*

Question no. 18. Have the authorities taken any measures to ensure that documents in Danish can be submitted to administrative authorities in practice (see 2nd evaluation report, para. 58 - 60)?

Answer No. 18. **Schleswig-Holstein** *Land* provides the following answer:

It is already ensured at present that documents in the Danish language can be submitted to administrative authorities. Section 82 a of the *Land* Administration Act implicitly provides for the possibility to submit applications, requests, legal and other documents in a language other than the official language German. However, the given administrative authority may require the applicant to supply, and pay for, a translation of the respective document/s.

Both the 3rd Periodical Report and the *Land* Government's 2007 Report on the Regional/Minority Language Charter set forth the Schleswig-Holstein *Land* Government's view that the obligation accepted under Article 10, para. 1, sub-para. a) v), of the Charter refers to the acceptance of documents submitted in the minority language Danish. In this respect, therefore, the recommendations of the Committee of Experts and its assessment that this obligation was "not fulfilled" are not shared by Schleswig-Holstein.

Further, it is pointed out that actually little use is made of the possibility to submit such documents in the Danish language. However, as reported by the municipality of Flensburg, almost every local government department has Danish-speaking staff available for translations or oral communication so that the costs incurred for translations would rather seem to be an issue of a theoretical nature.

Article 11 - Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

- b** *ii) to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

Question no. 19. Have the German authorities taken any measures to encourage and/or facilitate the broadcasting of radio programmes in Danish on a regular basis?

Answer No. 19. **Schleswig-Holstein** provides the following answer:

The *Staatsvertrag über den Norddeutschen Rundfunk* (NDR Inter-State Treaty), as amended in May 2005, stipulates that adequate room must be given in the programme to Northern Germany and the diversity of its regions, their culture and language.

Question no. 20. Are there currently any programmes broadcast regularly in Danish on the Open Channel broadcasting radio station, as required by Section 2, para. 1 of the OK Act (see 3rd periodical report, para. 1026a)?

Answer No. 20. **Schleswig-Holstein** provides the following answer:

Offener Kanal Flensburg airs a weekly Danish TV programme obtained through an exchange of programmes with *TV Abenraa*. In addition, short films produced by *Videowerkstatt Haderslev* (Denmark) are broadcast on a monthly basis. It is planned to broadcast these programmes in future also over *Offener Kanal Kiel*.

- c** *ii) to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;*

Question no. 21. Have the German authorities taken any measures to encourage and/or facilitate the broadcasting of television programmes in Danish on a regular basis?

Answer No. 21. **Cf. Answer no. 19, provided by Schleswig-Holstein Land.**

Question no. 22. Has a contract between the broadcasters and the cable providers been negotiated so that Danish programmes can continue to be received through the cable network (see 3rd periodical report, para. 1027a.)?

Answer No. 22. As reported by **Schleswig-Holstein Land**, the contents of this private law contract are not known to the government authorities.

- d** *to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;*

Question no. 23. Have any television programmes or other audiovisual works been produced in Danish under the ULR project (see 3rd periodical report, para. 1028)?

Answer No. 23. The answer provided by **Schleswig-Holstein Land** is as follows:

As reported by the media supervisory authority *Medienanstalt Hamburg / Schleswig-Holstein* (formerly *ULR: Independent [Schleswig-Holstein] Land Supervisory Authority for Broadcasting*), Danish language radio and TV items were produced only as part of an *ULR*-initiated project for boosting the minority languages during the years 2003/2004 and were broadcast in October 2003 by *Offener Kanal Westküste* and *Offener Kanal Flensburg* as part of a 'Danish-Frisian Week' project.

Article 12 - Cultural Activities and Facilities

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

Question no. 24. The 3rd periodical report states that language groups may be able to file applications to obtain federal grants for cultural activities abroad (see para. 1038). The Committee of Experts explains in the 2nd evaluation report that this undertaking concerned above all the way in which the country presented its own linguistic and cultural heritage abroad (see examples given in para.

80). Have the German authorities on the federal level taken any steps in this sense to ensure that the existence of regional or minority languages in Germany is reflected when presenting and promoting Germany abroad (see 2nd evaluation report, para. 81)?

Answer No. 24.

Information provided from the **Federal Government's** point of view:

The **Federal Foreign Office** points out that Germany makes frequent use of the services of the Goethe Institutes in foreign countries for presenting its linguistic and cultural heritage abroad, and gives examples of pertinent measures aimed at presenting the culture reflected in minority languages.

Thus, *Goethe-Institut* (Section "*Laien musizieren und Förderung des musikalischen Nachwuchses*" ["Amateur musicians, and promotion of talented young musicians"]) over the past few years supported projects for the aforementioned minorities with funds provided by the Federal Foreign Office. *Inter alia*, choirs having songs in these languages included in their concert programmes received such grants. For example, the choir *Oldenburger Kammerchor* will, in late October/early November of this year, take part in the International Choral Contest in Tolosa/Spain (*Certamen Coral de Tolosa*), with a programme including Low German songs (subsidized with 5,000.00 euro).

Among those ensembles that define themselves as representatives of a linguistic minority, Sorbian folk dance groups, in particular, have in the past been subsidized by the Goethe Institutes because these groups repeatedly and consistently filed applications to this effect.

Initially, for instance, *Sorbisches National-Ensemble Bautzen* was granted funding for the following projects:

- 16 - 29 July 1996: participation in the North Carolina International Folk Festival in the U.S.A., 15,000 DM;
- 3 - 17 July 2001: participation in the CIOFF Festival "20^e Mondial des Cultures de Drummondville"/Canada, 25,000 DM

(After the year 2001, no applications have been received from this ensemble.)

In addition, however, also the folk dance group *Sorbische Volkstanzgruppe Schmerlitz* was granted funding for the following performances:

- 6 - 23 October 2001: participation in the "Festival Internacional de Folklore de Argentina, Santa Fé 2001", 15,000 DM;
- 4 - 10 September 2002: participation, together with the folklore group *Sorbische Folkloregruppe Sprjewjan* in the International CIOFF Festival "Festival Internacional de Folklore Celestino Graca" in Portugal, 5,000 euro;
- 26 September - 6 October 2003: participation in the CIOFF Festival "ANDONG International Mask Dance Festival" in the Republic of Korea, 7,000 euro;
- 28 July - 8 August 2006: participation in the XI^o Festival del Folclor in Zacatecas/Mexico, 7.000 euro;
- 3 - 14 August 2007: participation in the international folklore festival "Folklorama 2007" in Winnipeg/Canada, 10,000 euro.

As reported by *Goethe-Institut*, a project planned for 2005 with a Sinti group from Hildesheim was not implemented because the ensemble did not follow up its application.

(As assessed by *Goethe-Institut*, a search of its database might yield information on other relevant measures. However, this would involve excessive expenditure of time and effort because the Goethe Institutes do not store data for the specific purpose of reporting on compliance with obligations under the Regional/Minority Language Charter.)

Moreover, Division 602 of the Federal Foreign Office in 2007 provided promotional funds to the amount of 30,000.00 euro for the exhibition (already mentioned in no. 4132 of the [Third Periodical] Report) entitled "The Holocaust against the Sinti and Roma and present-day racism in Europe" presented in New York in January 2007, and thus also supported the presentation abroad of the culture reflected in the Romany language of the German Sinti.

Article 13 - Economic and Social Life

Paragraph 1

With regard to economic and social activities, the Parties undertake within the whole country:

- c** *to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;*

Question no. 25. Please provide information on whether the new anti-discrimination legislation creates specific mechanisms to oppose certain kind of practices envisaged by this undertaking (see 2nd evaluation report, para. 83).

Answer No. 25.

The **Federal Ministry of Justice** reported the following on this point:

The Act to implement European Directives implementing the principle of equal treatment (*Allgemeines Gleichbehandlungsgesetz - AGG*) which entered into force on 18 August 2006 and through which the

Federal Republic of Germany translated four anti-discrimination directives* of the European Community into national law, prohibits, *inter alia*, racial discrimination or ethnocentrism [discrimination on the ground of ethnic origin] in employment and occupation and in the field of general civil law.

* 2000/43/EC, 2000/78/EC, 2002/73/EC and 2004/113/EC

The criterion "ethnic origin" must be understood in the wider sense of the term and also refers, for instance, to colour, national or social origin, or belonging to an ethnic group [national minority]. Such 'affiliation with an ethnic community' also covers the ethnic groups of the Sinti and Roma and of the Frisians or the Sorbian people in Germany. Against this background, different treatment on account of the use of a certain language can in particular cases, where other specific legal requirements are to be met as well, constitute illegal discrimination and thus can warrant or entail the right to require elimination of such treatment, the right to apply for an injunction, and/or a claim for damages.

The national minorities of Germany are represented by one member on the Consultative Council of the Federal Anti-Discrimination Bureau (*Antidiskriminierungsstelle des Bundes*).

Sorbian (Upper Sorbian and Lower Sorbian) in the Sorbian language area in the Länder of Brandenburg and Saxony)

Article 8 - Education

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a** *i) to make available pre-school education in the relevant regional or minority languages; or*
- ii) to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
- iii) to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*

Question no. 26. Within the framework of the positive new developments stated in the 3rd periodical report (see para. 2003), have the German authorities found a solution to redress the lack of qualified teachers at certain pre-schools (see 2nd evaluation report, para. 90)?

Answer No. 26. The answer provided by the Free State of **Saxony** is as follows:
In order to ensure a sufficient number of qualified teachers also in future, the Saxon State Ministry of Education and Cultural Affairs declared that graduates of Bautzen grammar school (*Sorbisches Gymnasium Bautzen*) can reliably expect to be employed as teachers at schools of the Free State of Saxony if they speak Sorbian as their native tongue and have successfully completed their teacher training (First and Second State Examinations for Teachers) for one of the combinations of subjects required by the *Sächsische Bildungsagentur* (Saxon supervisory school authority), Bautzen Regional Office.

Article 8 - Paragraph 1

- b** *i) to make available primary education in the relevant regional or minority languages; or*
- ii) to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii) to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv) to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;*

Question no. 27. Have the German authorities found a solution to the problem of the absence of a guideline for the minimum number of pupils to set up an Upper-Sorbian class (see 2nd evaluation report, para. 94)?

Answer No. 27. For the sake of clarity, **Brandenburg Land** points out that the above Question ["Upper Sorbian"] does not concern this *Land*.

The Free State of **Saxony**, on the other hand, reports as follows:

The number of pupils is stipulated in the Saxon Act on School Education (*Sächsisches Schulgesetz - SchulG*). Paras. 1 and 3 of Section 4a of this Schools Act provide the following:

"(1) The minimum numbers of pupils for schools offering general education are as follows:

1. at elementary schools: for the first class to be set up per year-group, 15 pupils; and for every additional class to be set up, 14 pupils;
2. at *Mittelschulen* (secondary technical schools): for the first two classes to be set up per year-group, 20 pupils; and for every additional class to be set up, 19 pupils;
3. at *Gymnasien* (grammar schools): 20 pupils per class.

(3) *Mittelschulen* shall have at least two (parallel) classes per year-group, and *Gymnasien* at least three classes per year-group."

Under Section 4a, para. (4), of the Act on School Education, "... derogations from paragraphs 1 and 3 are admissible in justified exceptional cases". This applies, in particular to the exceptional cases provided for under [sub-para.] "4. for the purpose of protecting and maintaining the rights of the Sorbian people pursuant to Article 6 of the Constitution of the Free State of Saxony or in accordance with Article 8, para. 1, *Litt.* b, c and d, of the European Charter of Regional or Minority Languages".

Thus, on a case-by-case basis and by making full use of the scope of discretion available to Sorbian schools under Section 4 a of the Schools Act, it is possible to deviate from the generally applicable legal provisions in order to be able to comply with the stipulations of the Saxon Constitution and of the European Charter for Regional or Minority Languages. At Sorbian *Mittelschulen*, for instance, there are - during the current school year - 2 classes with less than 10 pupils, 6 classes with 10 to 14 pupils; and 16 classes with 15 to 19 pupils. This means that, after review of the particular cases and in those cases where failure to set up classes would jeopardize the fulfilment of the accepted obligations, 24 classes (out of a total of 34 classes) set up at Sorbian *Mittelschulen* during the 2007/2008 school year comprise less than the re-

quired number of pupils per class. To extend this option *a priori* and without necessity to all Sorbian *Mittelschulen* would contravene the principle of economy in budgetary management. The existing law (Saxon Act on School Education) thus complies with the provisions of the Charter.

Free State of Saxony

Question no. 28. Have the German authorities reduced the minimum number of pupils required to open and maintain an Upper-Sorbian class within secondary education?

Answer No. 28. The Free State of **Saxony** refers to Answer no. 27.

Article 8 - Paragraph 1

d *Technical and Vocational Education -*

- i) to make available technical and vocational education in the relevant regional or minority languages; or*
- ii) to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii) to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv) to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;*

Question no. 29. Are the pilot projects supported by Domowina linked to the funds for the additional apprenticeships in Sorbian companies or does Domowina receive specific state-funded support for these projects (see 3rd periodical report, para. 2015)?

Answer No. 29. The answer provided by the Free State of **Saxony** is as follows:

The aforementioned model projects are not linked to funding provided for the creation of additional trainee places outside companies [industry and trade] in the Free State of Saxony.

The funding of additional apprenticeships, referred to in the above Question, is based on the implementation of the joint APO programme of the Federation and the *Länder* for creating training places in the Eastern part of Germany (*Ausbildungsplatzprogramm Ost - APO*). Under this programme, additional training places are offered outside [industry and trade] companies in the Free State of Saxony with funds provided by the Federal Government, the European Social Fund (ESF) and the *Land* as part of the *Gemeinschaftsinitiative Sachsen (GISA)* (Community Initiative 'Saxony') and the *Land's* complementary programmes. In this respect, the fixing of quotas for trainee places at the regional level is based on an indicator developed by the Saxon Regional Directorate (*Regionaldirektion Sachsen*) of the *Bundesagentur für Arbeit (BA - Federal Employment Agency)*, which takes account of important factors having an influence on the current situation regarding openings for apprentices. On this basis, the regional quotas for training places are fixed and allocated by the Saxon State Ministry of Economics and Employment (*SMWA*) to the entities offering apprenticeship training.

Domowina does not receive any special state subsidies for the aforementioned model projects (at least not from project-based funding provided by the Saxon State Ministry of Economics and Employment for vocational training and further training). It is correct that representatives of Domowina have been personally informed, by the Saxon State Ministry of Economics and Employment, on the existing possibilities as regards project-oriented promotion with ESF funding. However, according to information provided by the *Sächsische Aufbaubank* (Saxon Redevelopment Bank), no application to this effect has been filed so far.

Article 8 - Paragraph 1

- i) to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings which will be made public.*

Brandenburg

Question no. 30. Please provide copies of, or Internet links to (at least some of the) relevant documents that the Ministry of Education published with regard to the supervision of Lower Sorbian education (see 3rd periodical report, para. 2022).

Answer No. 30. **Brandenburg Land** supplies the following link:
www.parldok.brandenburg.de/parladoku/w3/drs/ab%5F7000/7002.pdf

Article 8

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

Question no. 31. Have the German authorities examined whether the number of users of Upper Sorbian in Dresden justifies the offer of education in or of this language (see 2nd evaluation report, para. 116)?

Answer No. 31. The answer of the Free State of **Saxony** is as follows:
In response to a further inquiry with the competent Dresden Regional Office of the *Sächsische Bildungsagentur* (Saxon Education Agency), the latter reported that at present there is no demand for setting up a class.

Article 10 - Administrative Authorities and Public Services

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a iv)** to ensure that users of regional or minority languages may submit oral or written applications in these languages;

Question no. 32. Have the German authorities taken any measures to ensure that there are sufficient numbers of Upper and Lower Sorbian-speaking civil servants available, as well as providing training opportunities for civil servants to improve their Upper-Sorbian language skills (see 2nd evaluation report, paras. 125 and 204)?

Answer No. 32. The answer of **Brandenburg Land** is as follows:
As already reported, the Brandenburg Ministry of the Interior carried out a survey to identify the demand for follow-up training; the responses showed that the authorities consider themselves quite capable, in keeping with the pertinent demand but without having to provide additional training, of fulfilling the legal statutory obligations to enable citizens to use the Sorbian language in their dealings with administrative authorities.

At present, it is still a moot question whether, at a later time, any follow-up training measures that might become necessary will be carried out by staff members of public authorities or by external specialized services. It would appear conceivable that, for instance, use is made of the services of the *Schule für niedersorbische Sprache* (School for the Lower Sorbian Language) in Cottbus or of another suitable institution for improving staff members' knowledge of the Sorbian language.

The Free State of **Saxony** reports the following:

The *Akademie für öffentliche Verwaltung Sachsen* (AVS - Academy of Public Administration in Saxony), - which comes under the responsibility of the Saxon State Ministry of the Interior and is responsible for cross-departmental follow-up training of the public service employees of Saxony *Land* - and the Meißen-based *Fachhochschule der Sächsischen Verwaltung* (FHSV - College for Public Administration in Saxony) - which is responsible for the training of members of the higher intermediate service - offer training and follow-up training to ensure acquisition of the foreign language skills required for the performance of official duties. For this purpose, the aforementioned institutions regularly review the requirements for foreign language instruction and, based on that demand, offer learning software or foreign language seminars. For 2007, no requirements were reported as regards Sorbian language skills needed for official duties. However, the two institutions will continue annually to review Sorbian language requirements within the *Land* Administration and to offer pertinent training and materials.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

- b** to allow users of regional or minority languages to submit a request and receive a reply in these languages; or

Question no. 33. Please provide information on the practical implementation of this undertaking with regard to Upper-Sorbian (see 2nd evaluation report, para. 134).

Answer No. 33. The Free State of **Saxony** refers to the answer to Question no. 32.

Question no. 34. Have the measures envisaged by the Saxon State Ministry of the Interior been put into practice (see 2nd evaluation report, para. 135)? If so, please provide more details.

Answer No. 34. The answer provided by the Free State of **Saxony** is as follows:
Recruitment and training of local government employees lie within the responsibility of local authorities. By letter of 21 January 2003, the Saxon State Ministry of the Interior already drew the attention of the *Land*'s local government associations to the important matter of promoting the Sorbian language in public service

and to existing legal possibilities for practical implementation, and asked them to publish pertinent information in their professional journals.

Article 11 - Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

- b ii)** *to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

Question no. 35. Have the authorities undertaken any measures to encourage and/or facilitate the broadcasting of programmes on public radio in Upper and Lower Sorbian?

Answer No. 35. **Brandenburg Land** reports the following:

The most important broadcasting corporation under public law in Brandenburg is *Rundfunk Berlin-Brandenburg (RBB)* which was established under the Inter-State Treaty on the Establishment of a Joint Broadcasting Corporation for the *Länder* of Berlin and Brandenburg (*RBB-Staatsvertrag*) of 25 June 2002. Section 14, para. 2, 2nd sentence, provides that the programmes of *Rundfunk Berlin-Brandenburg* shall take account of the regional diversity of the *Länder* of Berlin and Brandenburg and of the language and culture of the Sorbian (Wendish) people. By making this objective a mandatory programming principle, the structural framework has been established for broadcasters to define and develop their programmes on their own responsibility. The Sorbian associations' representative, appointed under Section 14, para. 1, 2nd sentence, no. 20, of the Treaty as a member of the Broadcasting Board, can inform this Board of relevant needs and wishes.

Already in its second evaluation report, the Advisory Committee [sic!] stated that public service broadcasting ensures sufficient radio broadcasts. It is assumed that this assessment will be upheld.

The Free State of **Saxony**, on the other hand, refers to the answer to Question no. 36.

- c ii)** *to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;*

Question no. 36. Have the authorities undertaken any measures to encourage and/or facilitate the broadcasting of programmes on public television in Upper and Lower Sorbian?

Answer No. 36. As reported by **Brandenburg Land**, the information provided in Answer No. 35 applies *mutatis mutandis*.

The Free State of **Saxony**, on the other hand, provides its relevant information under this Question:

In view of Section 14 of the Act on the Sorbs' Rights in the Free State of Saxony which provides for adequate coverage of the Sorbian language by the media, the Free State of Saxony welcomes the activities of *Mitteldeutscher Rundfunk (mdr)*. Another positive fact worth mentioning is that a Domowina representative is a member of the present *mdr* Broadcasting Board (the Board's term of office extends to the end of 2009).

To start with, a brief description is given of the programmes offered by *mdr* for the Sorbian-speaking minority in Saxony:

Once per month, the *mdr* broadcasting centre *Landesfunkhaus Sachsen* produces the 30-minute magazine WUHLADKO in the Sorbian language with German subtitling. This Sorbian language magazine is, as a rule, aired regionally by *mdr* on the first Saturday of the month at 12:25 p.m. and is repeated at 9:05 a.m. on the following Monday. In addition, this programme is broadcast twice on the *RBB* channel. In 2006, the average audience share for the WUHLADKO programme amounted to 0.02 million viewers, and its market coverage was around 3.4 per cent.

Since 31 March 2007, this magazine is also available as live-streams to interested Internet users. In this way young Sorbs, in particular, who are staying in other places in Germany and in foreign countries are able, per mouse click, to obtain information on current events in their home region.

Also, the ½-hour Sorbian-language magazine ŁUŽYCA of the *RBB* is re-run by the *mdr* regional channel once per month (on Saturdays, at 12:25 p.m.). This also is aired as a Sorbian language programme with German subtitling.

In February 2007, the carnival parade on the Monday before Lent ("*Rosenmontag*") in Wittichenau was for the first time broadcast live as a German/Sorbian dual sound transmission.

The *Regionalbüro Ostsachsen* (Regional Office for Eastern Saxony) presents the *mdr's* regional magazine *Sachsenspiegel* also in the Sorbian-speaking region of Upper Lusatia. In addition, a reporter for Eastern Saxony investigates subjects of relevance to this region for the *Sachsenspiegel* on a daily basis.

The 8-minute programme *Unser Sandmännchen* (Our Little Sandman) is aired, for optional reception in either the German or the Sorbian language, every Sunday by all terrestrial (over-the-air broadcasting) stations of MDR TV (analogue and digital).

MDR 1 RADIO SACHSEN at present airs Upper Sorbian language broadcasts from the Bautzen Regional Studio, via Hoyerswerda, over a broad-coverage FM frequency for a total of 21.5 hours per week for the daily Sorbian radio programme SERBSKI ROZHŁÓS. Also, a Low Sorbian programme of *RBB* amounting to 6.5 hours per week is broadcast over this frequency. These Sorbian language programmes covering 28 hours per week are aired, in addition, by *RBB* over a broad-coverage frequency from a Cottbus station (Calau). These broadcasts provide for complete coverage of the Sorbian settlement area. In addition to FM broadcasts, the *mdr* also feeds Sorbian live radio broadcasts into the Internet. Links to these programmes are provided on the *RBB's* Internet sites.

The signal services of the cable operator *Kabel Deutschland (KDG)* in Saxony (as of 31 Dec. 2006) supply TV programmes to a total of around 490,000 households over their own and connected cable TV distribution networks. These subscribers are provided with analogue services by *mdr* TV with its *Land* programme for Saxony, including the Sorbian programmes WUHLADKO and ŁUŽYCA. As regards digital transmission, only WUHLADKO re-runs and the ŁUŽYCA programme can be received over the *RBB* TV channel. *mdr* has asked the cable operator *KDG* to provide for analogue transmission of *mdr* TV broadcasts in such a way that the Sorbian sound channel can be selected for the *Sandmännchen* programme on Sundays. For digital cable TV reception of the *Sandmännchen* programme, the Sorbian dual-sound channel is not available.

The Sorbian radio broadcasting programmes of MDR 1 RADIO SACHSEN are fed into the *KDG's* Saxon networks of Bautzen, Kamenz and Löbau serving a total of 11,840 subscribers (as of 31 Dec. 2006) on the FM frequency band. There is no digital transmission of this programme. The *KDG*-provided cable TV connections only serve a certain portion of Saxon cable subscribers. Overall, an average of 1.27 million households in Saxony were cabled in 2006.

Article 12 - Cultural Activities and Facilities

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

Question no. 37. See question n° 24, for both Lower and Upper Sorbian.

Question no. 24. The 3rd periodical report states that language groups may be able to file applications to obtain federal grants for cultural activities abroad (see para. 1038). The Committee of Experts explains in the 2nd evaluation report that this undertaking concerned above all the way in which the country presented its own linguistic and cultural heritage abroad (see examples given in para. 80). Have the German authorities on the federal level taken any steps in this sense to ensure that the existence of regional or minority languages in Germany is reflected when presenting and promoting Germany abroad (see 2nd evaluation report, para. 81)?

Answer No. 37.

The Federal Government refers to its answer to Question no. 24.

North Frisian in the North Frisian speech area in Schleswig-Holstein

Article 8 - Education

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a**
- i) to make available pre-school education in the relevant regional or minority languages; or*
 - ii) to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
 - iii) to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
 - iv) if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;*

Question no. 38. Has the planned transfer of nursery school funding from the Land Government to the local level taken place? If so, have the authorities ensured that these changes did not have a negative impact on the provision of pre-school education in North Frisian (see 2nd evaluation report, para. 242)?

Answer No. 38. The answer provided by **Schleswig-Holstein Land** is as follows:

In 2004, funds management of *Land* subsidies for childrens' day-care centres was transferred to the *Kreise* and *kreisfreie Städte*. Specific measures to ensure Frisian language teaching offers in childrens' day-care centres were not required and consequently not taken.

Question no. 39. Please provide updated information on the new law on day-care centres (*Kindertagesstättengesetz*); has it been adopted and does it make special provision for North Frisian teaching (see 2nd evaluation report, para. 244)?

Answer No. 39. **Schleswig-Holstein Land** reports as follows:

In the course of the 2005 amendment of the Children's Day-Care Centres Act, the thematic cluster "Language/s, Signs/Letters, and Communication" was declared a mandatory element of the institutions' educational mission. The pertinent Guidelines on the implementation of this Act place particular emphasis on the promotion of the minority/regional languages Danish, North Frisian and Low German.

- b**
- i) to make available primary education in the relevant regional or minority languages; or*
 - ii) to make available a substantial part of primary education in the relevant regional or minority languages; or*
 - iii) to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - iv) to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;*

Question no. 40. Have the German authorities made North Frisian teaching available at least as an optional subject in the normal curriculum?

Answer No. 40. **Schleswig-Holstein Land** answered in the affirmative:

Yes, North Frisian language teaching is offered [on an optional basis] in the North Frisian speech area.

- i)** *to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings which will be made public.*

Question no. 41. Have the Schleswig-Holstein authorities appointed a staff member of the North Frisian Institute to monitor and report on the relevant developments in North Frisian education (see 2nd evaluation report, para. 269)?

Answer No. 41. The answer provided by **Schleswig-Holstein Land** is as follows:

Pursuant to Section 31 of the Schools Act, the Ministry for Education and Women appointed a school supervisory officer for special tasks of technical supervision regarding North Frisian, who is responsible, *inter alia*, for such monitoring and reporting.

Article 8 - Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

Question no. 42. Have the German authorities looked into the possibility of offering education in North Frisian in other areas where a sufficient number of North Frisian-speakers live (see 2nd evaluation report, para. 273)?

Answer No. 42. This question, too, is answered by **Schleswig-Holstein Land**:

No confirmed data are available on the number of North-Frisian speakers in places outside the North Frisian speech area. So far, however, education [in North Frisian] has been offered upon request also in these places on the proviso that a sufficient number of prospective learners for reasonably sized classes expressed such a demand.

Article 11 - Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

- b ii)** *to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

Question no. 43. The Committee of Experts welcomes the new web radio programme in the North Frisian language. Please provide information on how this project is maintained financially.

Answer No. 43. The answer provided by **Schleswig-Holstein Land** is as follows:

According to the information available, *Nordfriisk Radio (NFR)* has, since 1 April 2005, broadcast a North Frisian language programme including music and news from the region and produced by the *Friisk Foriining* (Frisian Association). This North Frisian webradio mainly provides broadcasting on the Internet (www.nfradio.de). Since its start, however, this programme has also been transmitted as a FM broadcast by the *Offener Kanal Westküste* in the west coast region. In 2005, the NFR's broadcast its programme from 20.00 to 22.00 o'clock on workdays. Since mid-April 2006, NFR has reduced its airtime and now broadcasts its programme over the *Offener Kanal Westküste* on Saturdays from 9 to 11 a.m.

The technical equipment of the Stedesand studio and the training of its staff have been financed, for the major part, with funds provided by the Federal Government Commissioner for Culture and the Media (*BKM*). Day-to-day operations are carried out mainly by volunteers and/or holders of so-called 400 euro jobs [marginal employment]. These expenses, amounting to around 5,000 € per year, are defrayed by *Friisk Foriining*, with the Danish minority's support.

Question no. 44. With regard to Offener Kanal, see question n° 20 (see also 3rd periodical report, para. 3030b.).

Answer No. 44. Cf. the answer to Question no. 43 above.

- e ii)** *to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;*

Question no. 45. Have the German authorities taken any steps to encourage and/or facilitate the publication of newspaper articles in North Frisian on a regular basis?

Answer No. 45. This question is answered by **Schleswig-Holstein Land**:

For freedom-of-the-press reasons, it is not possible to take any specific steps. In this regard, reference is therefore made to the 1st sentence of the Regional/Minority Language Charter [*sic! ??*]: "*soweit es die Verfassung zulässt*" ("to the extent permitted under the Constitution"). It can be reported, however, that the newspapers published in Nordfriesland by the publishing company *Schleswig-Holsteinischer Zeitungsverlag* feature a Frisian/Low German page about once per month.

Article 12 - Cultural Activities and Facilities

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

Question no. 46. See question n° 24.

Answer No. 46. Cf. Answer no. 24.

Article 13 - Economic and Social Life

Paragraph 1

With regard to economic and social activities, the Parties undertake within the whole country:

- c to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;*

Question no. 47. See question n° 25.

Answer No. 47. Cf. Answer no. 25.

Article 14 - Transfrontier Exchanges

The Parties undertake:

- a to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education:*

Sater Frisian (Seelterfräisk) in the Sater Frisian speech area (Seelterlound) in Lower Saxony

Article 8 - Education

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a** *i) to make available pre-school education in the relevant regional or minority languages; or*
- ii) to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
- iii) to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
- iv) if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;*

Question no. 48. Have the authorities encouraged, through adequate institutional and financial support, the provision of at least a substantial part of pre-school education in Sater Frisian to those pupils whose families so request?

Answer No. 48. **The answer provided by Lower Saxony Land is as follows:**

All of the five children's day-care centres in the Saterland offer Sater Frisian teaching by voluntary helpers (*Saterland Verbund*) once per week. This is done on a learning-through-play basis and in part is offered to all children or to children newly enrolled in an elementary school.

There is no financial or institution-based support in addition to this.

Article 10 - Administrative Authorities and Public Services

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a** *v) to ensure that users of regional or minority languages may validly submit a document in these languages;*

Question no. 49. Have the authorities examined the possibility of issuing directives or formal guidance to administrative authorities and public services, with a view to encouraging the speakers to use Sater Frisian (see 2nd evaluation report, para. 339)?

Answer No. 49. **The answer provided by Lower Saxony Land is as follows:**

A study to this effect has been carried out. Its conclusions are that formal directives requiring Saterland *Gemeinde* to make greater use of the Sater Frisian language within its administration would have to be issued in the form of legal provisions (by virtue, or on the basis of, a law) because this would affect the local authority's self-government sphere and local authorities are not bound, in these matters, by directives issued by the *Land* Government. Thus, any statutory regulation would constitute interference with self-government which is protected under the Basic Law, and must be based on substantial common-weal reasons. Within the framework of the reform of public administration, the *Land* Government initiates de-regulation measures and, in the course of evaluating statutory regulations, strives to reduce bureaucracy on a considerable scale. At the same time, its policies are aimed at widening the local authorities' scope for action. Therefore, in many of its bills introduced in the Lower Saxon *Landtag*, the Government proposes either non-imposition or repeal of restrictive legal stipulations.

Article 11 - Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

- e** *ii) to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;*

Question no. 50. Please provide information as to how often articles in Sater Frisian appear in the newspapers listed in the 3rd periodical report (see para. 3543).

Answer No. 50. **Again, the answer to this question is provided by Lower Saxony Land:**

The newspapers mentioned below provided the following information on this point:

- *General-Anzeiger*, Rhaderfehn
For several decades already, the *General-Anzeiger* has published a text in Sater Frisian once per week (Saturday edition).
- *Münsterländische Tageszeitung*, Cloppenburg / *Nordwest-Zeitung*, Oldenburg
No articles in Sater Frisian.

Article 12 - Cultural Activities and Facilities

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

Question no. 51. Have the German authorities, both on the Land and federal level, made any appropriate provision with regard to the fulfilment of this undertaking? Does the *Land* Lower Saxony still support the Inter-Frisian Council as a way to make provision for Sater Frisian (see 2nd evaluation report, para. 388)?

Answer No. 51. **The answer provided by Lower Saxony Land is as follows:**

In February 2006, thanks to efforts undertaken also by Lower Saxony *Land*, a commemorative stamp was issued that pays tribute to the importance of Frisians in Nordfriesland, Ostfriesland and the Friesland region of the Netherlands (West-Friesland) and of the *Interfräsche Rädj* (Inter-Frisian Council).

Article 13 - Economic and Social Life

Paragraph 1

With regard to economic and social activities, the Parties undertake within the whole country:

- c to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;*

Question no. 52. See question n° 25.

Question no. 25. Please provide information on whether the new anti-discrimination legislation creates specific mechanisms to oppose certain kind of practices envisaged by this undertaking (see 2nd evaluation report, para. 83).

Answer No. 52. **Cf. Answer no. 25.**

Low German

Article 8 - Education

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a*
 - i)* to make available pre-school education in the relevant regional or minority languages; or
 - ii)* to make available a substantial part of pre-school education in the relevant regional or minority languages; or
 - iii)* to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or
- iv)* if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;

Bremen

Question no. 53. Please give more details on the extent to which Low German is used in pre-schools, for example in those areas bordering the *Land* of Lower Saxony: Is Low German also employed as the language of instruction (see 3rd periodical report, para. 5003)?

Answer No. 53. The Free Hanseatic City of **Bremen** provides the following information:

The Low German language accounts for about 3 per cent in everyday usage.

No survey has been made of the use of the Low German language in institutions in areas bordering on Lower Saxony.

Nursery school education is followed by attendance of an elementary school. Bremen does not have any preparatory classes that could be defined as pre-elementary education.

Mecklenburg-Western Pomerania

Question no. 54. Please provide more detailed information on the extent to which pre-school education is available in Low German (see 2nd evaluation report, para. 549)?

Answer No. 54. The answer provided by the *Land* of **Mecklenburg-Western Pomerania** is as follows: The activities of the *Zentrum für Niederdeutsche Sprache - Vorpommern e.V.* (Centre for the Low German Language - Western Pomerania, reg'd) in Wilmshagen have provided the prerequisites that make it possible in Western Pomerania that childrens' day-care centres throughout this *Land* offer Low German education thanks to the educational materials provided by "*Bunte Kisten*" ("jumble boxes"). In support of the activities offered so far by children's day-care centres, a Low German language programme is carried out at various institution in the Hanseatic City of Rostock in the Mecklenburg region of the *Land*.

Question no. 55. Please provide information on whether the authorities of Mecklenburg-Western Pomerania have taken account of the Low German language in the framework of the reorganisation of pre-school education (see 2nd evaluation report, para. 550)?

Answer No. 55. The answer provided by the *Land* of **Mecklenburg-Western Pomerania** is as follows:

In Mecklenburg-Western Pomerania, 97 per cent of the children aged three to six attend children's day-care centres. Under the Children's Day-Care Centres Act of Mecklenburg-Western Pomerania, the nursery school teachers are free to develop the detailed elements of their programmes. The Low German language can at any time be included in the educational offers of children's day-care centres.

Lower Saxony

Question no. 56. Please provide information on the extent to which Low German is used in pre-schools outside Ostfriesland in practice (see 2nd evaluation report, para. 613).

Answer No. 56. The answer provided by the *Land* of **Lower Saxony** is as follows: In the context of the *Orientierungsplan für Bildung und Erziehung im Elementarbereich* (Orientation Plan for Elementary Education)* for Lower Saxon children's day-care centres, attention is drawn to the importance of the regional language for language comprehension and speaking skills. The Orientation Plan does only apply to institutions in Ostfriesland, but for *all* Lower Saxon institutions. No surveys are made of the extent to which Low German is used.

* translated as "pathway plan for education measures in the field of pre-primary education" in the 3rd Periodical Report

Article 8 - Paragraph 1

- b*
 - iii)* to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or

Free Hanseatic City of Bremen

Question no. 57. Have new guidance materials for the curriculum on the Low German language in primary education been issued (see 3rd periodical report, para. 5010)? If so, please provide more details.

Answer No. 57. The answer provided by the Free Hanseatic City of **Bremen** is as follows:
The planned guidance for the Low German curriculum in primary education have not been issued so far. First of all, a group of teachers must be found and established who have the motivation and competence required for promoting Low German in school education. The planned undertaking to strengthen the role of Low German in the education system must not be conceived as a top-down process. If a pertinent curriculum, including supplementary materials, is to gain acceptance and to be used in practice, it must be developed by teachers who use Low German in their work with children. On 4 December 2007, the *Landesinstitut für Schule* (Land Institute for Schools), i.e. the Bremen Institute for teacher training and in-service training of teachers, will be the venue of a meeting on the subject of "Low German in school education". This will be start of an experimental project aimed at restoring the Low German tradition at schools in Bremen and to win greater support for this, e.g. by providing amplifying materials to supplement the Educational Plan.

Free and Hanseatic City of Hamburg

Question no. 58. Have the authorities of the City of Hamburg pursued their efforts to increase the provision for the teaching of Low German within primary education, including the allocation of regular school hours to Low German?

Answer No. 58. The answer provided by the Free and Hanseatic City of **Hamburg** is as follows:
The 2003 Framework Curriculum for "*Deutsch für die Grundschule*" ("German for primary education"), referring explicitly to the European Charter for Regional or Minority Languages, includes Low German as a required element of the classroom subject 'German'. The Low German language is "included in conversational situation", and "thought is given to its use". Low German literature is included in the learning area "reading", with at least one poem or a short story or a song to be studied in each school year. Teachers are supported by Low German follow-up training offered by the *Landesinstitut für Lehrerbildung und Schulentwicklung* (Land Institute for Teacher Training and School Development). In addition, in a Circular (of 5 April 2007), the Senate Authority for Education and Sports (*Behörde für Bildung und Sport - BBS*) encouraged primary schools to attend a performance of the *Ohnsorg-Theater*. The BBS and the theatre's director agreed that, in the 2007/2008 school year, 10 morning performances could be attended by school classes, with low-priced tickets (10 euro each).
A separate 'Low German' classroom subject in addition to 'German' does not exist and is not planned to be introduced, either.

Schleswig-Holstein

Question no. 59. Please provide information on the results of the surveys that have been conducted on the implementation of the Decree on Low German (see 2nd evaluation report, para. 678).

Answer No. 59. The answer provided by **Schleswig-Holstein Land** is as follows:
At present, more than two thirds of the schools familiarize their pupils with Low German. As reported by the schools, an average of 23 class hours per year are scheduled for inclusion of Low German in classroom instruction. In addition, Low German is also included in projects such as school festivities, Christmas parties, project days (in schools), surveys carried out in villages, and reading competitions.
As of 8 July 2004, German teachers must, during their training, enrol for a required study module 'Low German' where they learn how they can, without having a knowledge of Low German, provide classroom instruction with the help of a non-school partner.

Question no. 60. The 3rd periodical report refers to a questionnaire that was sent to the headmasters of all schools in 2006 (see para. 5013). Has the evaluation been completed? If so, please provide some information.

Answer No. 60. The Free and Hanseatic City of **Hamburg** provides the following information on its questionnaire-based survey of "*Schulische Angebote zur Förderung der niederdeutschen Sprache*" ("Activities offered by Hamburg schools in 2006 for the promotion of the Low German language"):

This survey had been commissioned with the aim of obtaining data, to be used in the reporting on the implementation of the European Charter for Regional or Minority Languages during the second evaluation cycle, with regard to the extent of the inclusion of Low German in classroom instruction.

The replies received from the schools in response to the survey of the "Activities offered by schools for the promotion of the Low German language" were analyzed by the LI-Q (Quality Assurance Section of the Land Institute [for Teacher Training and School Development]); the main findings are as follows:

1. Participation of schools in the survey
333 schools provided useable responses to the survey; 45 schools reported 'nil'.
2. Follow-up training requirements

Additional requirements for follow-up training were reported by primary schools, in particular, and - to a lesser extent, by *Hauptschulen* (secondary general schools) and *Realschulen* (secondary technical schools).

3. Diversity of subjects and activities offered by schools

The integration of Low German in the framework curricular is reflected by the Low German contents of classroom instruction. For the major part, songs and poems are included; stories, etc., are included to a significantly lesser extent. At the *Gymnasien* (grammar schools), Low German is - in accordance with the framework curricula – also a subject of the learning area of "language use". The survey shows that a large and varied range of options exist for dealing with Low German in school education.

4. Teaching material "*Schrievwark*"

The guidance material entitled "*Schrievwark*" (including two CDs) is generally rated as good and is frequently used.

5. Regional distribution

Low German is offered, in particular, by schools in the Süderelbe area and also in the outskirts of Hamburg. These schools are most likely to rely on the services of non-school partners, although this is done only in a few cases.

This tallies with the statistical data on the competition "*Jungs un Deerns leest Platt*" ("Boys and Girls reading Low German") which even more show that Low German is very much alive in these places.

6. Structures regarding implementation

In their comments, the schools frequently refer to the composition of their student body, especially when there are large numbers of pupils with a migrant background, and to the insufficient numbers, or complete lack, of teachers speaking Low German.

Schleswig-Holstein supplies the following results:

Analysis of the questionnaire showed that the presence of Low German at schools is still quite good. Around two thirds of the schools included in the survey responded. According to these replies, 80 per cent of these schools have teachers with a command of the Low German language, and 51 per cent of them even have a contact person for Low German. In view of the apparent decrease in Low German proficiency of young teachers, the importance of basic and further training in Low German increases.

Article 8 - Paragraph 1

- c i) to make available secondary education in the relevant regional or minority languages; or
- ii) to make available a substantial part of secondary education in the relevant regional or minority languages; or
- iii) to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or

Free and Hanseatic City of Hamburg

Question no. 61. Have the authorities of the City of Hamburg pursued their efforts with a view to making the teaching of Low German within secondary education more systematic with regular school hours allocated to Low German?

Answer No. 61. The Free and Hanseatic City of **Hamburg** provides the following information: The framework curricula for the subject 'German' for all types of lower secondary schools (secondary education stage I) as well as for stage II secondary schools (in force since 1 August 2004, with the exception of the Educational Plan for *Hauptschulen* (secondary general schools) which entered into force on 1 August 2007) include Low German as a required element of classroom instruction and as a part of the core curriculum. The framework curricula have been published on the *Hamburger Bildungs-Server*. The Senate Authority for Education and Sports (*BBS*) in addition promotes Low German (*Plattdeutsch*) through the "reading festival" entitled "Seiteneinsteiger" ("lateral entrants"/"newcomers") and through two reading competitions, one *Land*-wide and one regional (restricted to the schools in the Süderelbe region). Low German is not planned to be provided as a regular subject.

Schleswig-Holstein

Question no. 62. Please provide information on the results of the surveys that have been conducted to assess the extent of Low German instruction within secondary education (see 2nd evaluation report, para. 682).

Answer No. 62. The answer provided by **Schleswig-Holstein Land** supplies the following findings: Of the schools included in the surveys, around two thirds responded in each case. According to these replies, Low German instruction at present covers 28 class hours per year at *Realschulen* (secondary technical schools), 17 class hours per year at *Gymnasien* (grammar schools), and 14 class hours per year at *Gesamtschulen* (comprehensive schools).

Article 8 - Paragraph 1

- d iii)** to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or

Free and Hanseatic City of Hamburg

Question no. 63. Have the authorities of the City of Hamburg explored ways to offer teaching of Low German within technical and vocational education, notably in schools for trainees of the restaurants/catering trade and the social care sector (2nd evaluation report, para. 479).

Answer No. 63. The answer provided by the Free and Hanseatic City of **Hamburg** is as follows:

There are no vocational schools for trainees of the social care sector in Hamburg.

Where the curriculum for the upper secondary grades of a *Gymnasium* (grammar school) mandatorily applies also the secondary vocational schools (*Berufliche Gymnasien*), this curriculum applies to them in the same way as to all other *Gymnasien* in Hamburg, meaning that inclusion of Low German in classroom instruction for the subject 'German' is mandatory.

To study has been made of the possibility to offer Low German instruction especially in vocational schools for the restaurants/catering trade.

Article 8 - Paragraph 1

- e ii)** to provide facilities for the study of these languages as university and higher education subjects;

Lower Saxony

Question no. 64. Have the professors in the field of German philology at Oldenburg University been appointed yet? If so, has one of them been assigned a focus on Low German research (see 3rd periodical report, para. 5035)?

Answer No. 64. **Lower Saxony Land** provides the following information:

In August 2005, the *Land* Government of Lower Saxony decided that it will give support to the proposal submitted by Oldenburg University, i.e. that a 'package' procedure for inviting applications for three of the present four (professorship) vacancies should be instituted and should include a Low German sub-appointment. In April 2006, a vacancy announcement for three linguistics professorships in the German Philology department of the Oldenburg Carl von Ossietzky University included one position for Low German. The Appointment Commission in September 2006 had interviews with the applicants. On this basis, a total of three comparative expert opinions were obtained as the basis for an appointment proposal to be submitted to the Ministry of Scientific and Cultural Affairs. The Ministry agreed to the appointment proposal submitted by Oldenburg University. In the meantime, the professorships have been offered to the respective candidates.

Article 8 - Paragraph 1

- i** to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings which will be made public.

Mecklenburg-Western Pomerania

Question no. 65. Have there been any developments regarding the Low German Consultative Council (*Niederdeutsch-Beirat*) taking over a supervisory role with regard to Low German education (see 2nd evaluation report, para. 566)?

Answer No. 65. The *Land* of **Mecklenburg-Western Pomerania** provides the following information: In the 2003/2004 school year, the *Niederdeutsch-Beirat* (Low German Consultative Council) which is chaired by the Minister for Education, Scientific and Cultural Affairs of the *Land* of Mecklenburg-Western Pomerania conducted, and subsequently analyzed, a questionnaire-based survey on the situation of Low German at the general education schools of Mecklenburg-Western Pomerania. Further, the *Niederdeutsch-Beirat*, in co-operation with the Working Panel for "*Niederdeutsch in der Schule*" ("Low German in school education"), issued the Administrative Regulation on "*Niederdeutsch in der Schule*" (9 March 2004) and the 'Study Regulations' (*Studienordnung*) for a "*Zertifikatskurs für tätige Lehrer*" (2006).

Article 10 - Administrative Authorities and Public Services

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a v)** to ensure that users of regional or minority languages may validly submit a document in these languages;

Free Hanseatic City of Bremen

Question no. 66. Please state if there is any practical implementation of this undertaking. If so, please provide examples (see 2nd evaluation report, para. 414).

Answer No. 66. The Free Hanseatic City of **Bremen** provides the following information:
As before, it is not planned to issue any orders or administrative regulations in the Low German language. Therefore, no practical examples can be provided.

Free and Hanseatic City of Hamburg

Question no. 67. Please state if there is any practical implementation of this undertaking. If so, please provide examples (see 2nd evaluation report, para. 491).

Answer No. 67. The answer provided by the Free and Hanseatic City of **Hamburg** is as follows:
This provision (Article 10, para. 1, a v) is applicable law in Hamburg. Inquiries within the responsible higher *Land* authority and "on site", i.e. directly with the district authorities, showed that, over the past two years, there were no persons wishing to make use of this right.

Lower Saxony

Question no. 68. Please provide detailed information concerning the measures taken by the *Land* of Lower Saxony to ensure that documents in Low German may be submitted within its administrative districts, and practical examples of this possibility being used by the speakers (see 2nd evaluation report, para. 626).

Answer No. 68. **Lower Saxony** *Land* provides the following answer:
Lower Saxony does not fail to appreciate the concern of the Committee of Experts as regards the future of the Low German language and consequently, on the basis of the Committee's suggestions, studied the extent to which such measures might be taken.

c to allow the administrative authorities to draft documents in a regional or minority language;

Mecklenburg-Western Pomerania

Question no. 69. Please provide some examples on the drafting of documents in Low German. Are, for example, legal texts, announcements, information documents etc. drafted in Low German?

Answer No. 69. The answer provided by the *Land* of **Mecklenburg-Western Pomerania** is as follows:
As a matter of principle, it is possible to draft legal texts, announcements and notices in the Low German language.

The *Land* Constitution (legal text) has been published in the regional language Low German; in addition, especially at the local authority level, announcements and information documents are also published in Low German. The Minister-President of the *Land* of Mecklenburg-Western Pomerania gives his yearly New Year's address on the NDR's *Nordmagazin* alternately in Low German and standard German.

Free Hanseatic City of Bremen

Question no. 70. Apart from the publication of a Low German version of the Constitution of Bremen, have any other documents been drafted and published by the administrative authorities in practice? If so, please provide examples (see 2nd evaluation report, para. 416).

Answer No. 70. The answer provided by the Free Hanseatic City of **Bremen** is as follows:
It is not planned, within the area of responsibility of the Senator for the Interior and Sport, to draft documents in the Low German language.

City of Hamburg

Question no. 71. Have any documents been drafted and published by the administrative authorities in practice? If so, please provide examples (see 2nd evaluation report, para. 495).

Answer No. 71. **The Free and Hanseatic City of Hamburg reports 'nil'.**

Lower Saxony

Question no. 72. Have any documents been drafted and published by the administrative authorities in practice? If so, please provide examples.

Answer No. 72. The answer provided by **Lower Saxony** *Land* is as follows:
Lower Saxony pursues the aim of deregulation; therefore, local authorities have so far not been required to submit reports on the practical application of the provisions of the Regional/Minority Language Charter. Nevertheless, it takes the Committee's concern seriously that the Charter might be fulfilled only formally, and at present studies possible ways of agreeing with the local authorities on an information flow on measures, developments, etc., regarding the protection and promotion of the Low German language within their respective jurisdiction in respect of the obligations accepted by Lower Saxony.

Schleswig-Holstein

Question no. 73. Have any documents (eg legal texts, announcements, information documents) been drafted and published in Low German by the administrative authorities in practice? If so, please provide examples.

Answer No. 73. The answer provided by Schleswig-Holstein Land is as follows:

So far, there have been no publications in the Low German language either in the Schleswig-Holstein Gazette of Laws and Ordinances (*GVBl*) or in the Official Gazette of Schleswig-Holstein. Already in 2000, however, the President of the Schleswig-Holstein *Landtag* published "*De Verfaaten vun dat Land Sleswig-Holsteen - Die Verfassung des Landes Schleswig-Holstein, Op Plattdütsch und Hochdeutsch*" (The Constitution of Schleswig-Holstein *Land*, in Low German and Standard German). The *Land* Government does not know whether local authorities have drafted and published announcements or notices in the Low German language. Within the jurisdiction of the Flensburg Police Directorate, citizens can, both in writing and orally, address their concerns also in the Low German language to the police officers. It is only in this area that the *Land* Police considers that any requirements in this respect exist. In parts of the area of Flensburg's police authorities, the German signposts indicating a police station ("*Polizei*") have been supplemented by the corresponding signs in the Frisian language. As a rule, at all other police authorities within the jurisdiction of the *Land* Police, police officers are available who speak and/or understand the Low German language.

Article 10 - Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- a the use of regional or minority languages within the framework of the regional or local authority;*

Free Hanseatic City of Bremen

Question no. 74. Is Low German used within the framework of the regional or local authorities in Bremen? If so, please provide examples.

Answer No. 74. The Free Hanseatic City of Bremen provides the following information:

To the extent that the Low German language has been used within the framework of Bremen's regional authorities, no problems have been encountered so far. When any language problems arose or if they should arise, every effort has been, or will be, made to solve such problems.

Stadt Hamburg

Question no. 75. Is Low German used within the framework of the regional or local authorities in Hamburg, other than for marriage ceremonies? If so, please provide examples.

Answer No. 75. The Free and Hanseatic City of Hamburg reports 'nil'.

Lower Saxony

Question no. 76. Is Low German used within the framework of the regional or local authorities in Lower Saxony, other than in Ostfriesland and in Ammerland (see 2nd evaluation report, para. 631)? If so, please provide examples.

Answer No. 76. Lower Saxony Land reports that no information/examples are available and in all other respects refers to Answer no. 72.

- b the possibility for users of regional or minority languages to submit oral or written applications in these languages;*

Free Hanseatic City of Bremen

Question no. 77. Please state whether the possibility to submit written documents in Low German is made use of in practice. If so, please provide examples.

Answer No. 77. The Free Hanseatic City of Bremen provides the following information:

So far, the Senator for the Interior and Sport has not been informed of any cases where documents and requests drafted in the Low German language were not accepted. It may be assumed that any such problems will be solved in the actual situation.

Question no. 78. Have any measures been taken by the authorities with a view to encouraging Low German speakers to avail themselves of this possibility?

Answer No. 78. No answers to this question have been received.

Question no. 79. Have the relevant authorities been informed of their obligations under the Charter?

Answer No. 79. No answers to this question have been received.

Free and Hanseatic City of Hamburg

Question no. 80. Please state whether the possibility to submit written documents in Low German is made use of in practice. If so, please provide examples.

Answer No. 80. The Free and Hanseatic City of Hamburg reports 'nil'.

Lower Saxony

Question no. 81. Please state whether the possibility to submit written documents in Low German is made use of in practice. If so, please provide examples.

Answer No. 81. Lower Saxony Land reports that no information/examples are available and in all other respects refers to Answer no. 72.

Question no. 82. Have any measures been taken by the authorities with a view to encouraging Low German speakers to avail themselves of this possibility?

Answer No. 82. Lower Saxony Land reports that no information is available and in all other respects refers to Answer no. 72.

Schleswig-Holstein

Question no. 83. Has the Land Government pursued its plan to discuss the scope for the implementation of this provision with the association of local authorities (see 2nd evaluation report, para. 700)? If so, please provide more information.

Answer No. 83. The answer provided by Schleswig-Holstein Land is as follows:
The Land Government has not taken any further steps. It expects that the Regional/ Minority Language Charter is sufficiently known also within local authorities. Several years ago, the information brochure "*Sprache ist Vielfalt*" ("Language is Diversity") was distributed to all local authorities in the Land.

- c* the publication by regional authorities of their official documents also in the relevant regional or minority languages;
- d* the publication by local authorities of their official documents also in the relevant regional or minority languages;

Lower Saxony

Question no. 84. Have any official documents been published by the local or regional authorities?

Answer No. 84. Lower Saxony Land reports that no information is available and in all other respects refers to Answer no. 72.

- e* the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the state;

Lower Saxony

Question no. 85. Please provide updated information on the district councils (*Kreistage*) that use Low German in debates in their assemblies. Have the central authorities taken any measures to encourage the use of Low German by regional authorities in debates in their assemblies?

Answer No. 85. Lower Saxony Land reports that no information is available and in all other respects refers to Answer no. 72.

Article 10 - Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

- c* compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.

Free and Hanseatic City of Hamburg

Question no. 86. Please provide information about the practical results of the initiatives of District Council Offices mentioned in the 2nd evaluation report (see para. 504).

Answer No. 86. The Free and Hanseatic City of Hamburg reports 'nil'.

Lower Saxony

Question no. 87. Have the authorities taken any measures to develop a policy to ensure compliance with possible requests from Low German speakers to be appointed in the territory in which their knowledge of Low German could be most useful?

Answer No. 87. Lower Saxony Land reports that no wishes for such appointment have come to its knowledge.

Schleswig-Holstein

Question no. 88. Have the authorities taken any measures to develop a policy to ensure compliance with possible requests from Low German speakers to be appointed in the territory in which their knowledge of Low German could be most useful?

Answer No. 88. No answer has been provided by Schleswig-Holstein.

Article 11 - Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

- b ii)** *to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

Free and Hanseatic City of Hamburg

Question no. 89. Have any steps been made to encourage and/or facilitate the broadcasting of programmes in Low German on private radio?

Answer No. 89. The answer provided by the Free and Hanseatic City of **Hamburg** is as follows: These activities are pursued by the *Institut für niederdeutsche Sprache (INS)* (Institute for the Low German Language) which is supported by Hamburg with *Land* funds to an amount defined under the so-called Königstein Allocation Formula. The Senate Authority for Cultural Affairs of the Free and Hanseatic City of Hamburg no longer has a Media Division.

Mecklenburg-Western Pomerania

Question no. 90. Please provide more detailed information with regard to the use of Low German on the radio channel *Antenne Mecklenburg-Vorpommern* (see 3rd periodical report, para. 5118).

Answer No. 90. The answer provided by the *Land* of **Mecklenburg-Western Pomerania** is as follows: Broadcasts of any length dedicated to specific subjects are no longer included in the programme structure *Antenne Mecklenburg-Vorpommern*. So, regrettably, its programme therefore no longer covers Low German items.

Question no. 91. Are there programmes in Low German on the 'Open Channels' in Mecklenburg-Western Pomerania (see 2nd evaluation report, para. 584)? If so, please provide more detailed information.

Answer No. 91. The *Land* of **Mecklenburg-Western Pomerania** provides the following answer: *NB-Radiotreff* (an Open Channel) in Neubrandenburg very purposively strives to ensure the use of the Low German language in its programme. In co-operation with the *Niederdeutsche Bühne* [Low German Theatre] in Neubrandenburg, a Low German programme is produced about once every three months. The Neubrandenburg children's day-care centre "*Lütt Matten*" performs a Low German programme twice per year. It is planned to include Low German stories for adults and children in the programme once per month.

The Malchin-based studio airs two Low-German programmes every week.

Also, the regional students' station in the Hanseatic City of Greifswald quite regularly broadcasts Low German programmes.

Schleswig-Holstein

Question no. 92. Are there currently programmes in Low German on the 'Open Channels' or on private radio stations in Schleswig-Holstein (see 3rd periodical report, para. 5121)? If so, please provide more detailed information.

Answer No. 92. **Schleswig-Holstein** *Land* provides the following answer:

Yes. TV broadcasting does include a focus on Low German TV programmes on the Open Channel (*OK Offener Kanal Kiel-Fernsehen*). A mobile TV studio regularly records Low German stage-plays performed by amateur theatre groups, and these are aired by *OK Kiel* and *OK Flensburg*. This was complemented by recordings of the *Plattdeutsche Kirchentage* ("Low German Church congress") and of the reading competition *Schölers leest Platt* ("School-children reading Low German").

As regards Open Channel radio broadcasting, the Open Channel *OK Westküste* includes Low German items in the weekly three-hour magazine **ETS Radio** (field studio in Stapelholm) as an integral part of the programme (thematic section: *ick vertell di mol wat* - 'Let me tell you something'). These items are developed, *inter alia*, by pupils taking part in the *Plattdeutsch AG* (Low German activity group) of Stapelholm School in Erfdegestaltet. Also, a regular **Low German talk-show** of the Adult Education Centre in Heide is broadcast by *OK Westküste*. In co-operation with the local/regional traditions association *Heimatbund "Landschaft Eiderstedt e.V."* and the working party for local history and geography *Arbeitsgemeinschaft*

Garding, Low German ½-hour programmes are produced every month. In addition, *OK Westküste* on a mainly irregularly basis includes Low German items in other programmes and does not air them as part of a specific structure.

The Open Channel *OK Lübeck* includes comprehensive Low German programmes and items as an integral and regular programme, mainly in connection with outreach activities addressing senior citizens in the region. For instance, the weekly magazine *Senior und Senior 50+* includes a Low German story-telling section, and every first and third Monday of the month, *Stadtmagazin Ratzeburg* (which is operated mainly by senior seniors) includes a Low German item in a 55-minute programme. Also, Low German music is part of its repertory. The *Seniorenradio Bad Schwartau* regularly reports on Low German meetings. Regular Low German programmes are also aired by the field studio "*Radio aus Bad Segeberg*" that are recorded at the *Hamburger Klönschnack* and the *Folkclub Bad Segeberg*.

The private radio and television broadcasters in Schleswig-Holstein do not provide any items or programmes in the Low German language.

- c ii) to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

Free and Hanseatic City of Hamburg

Question no. 93. Have any steps been made to encourage and/or facilitate the broadcasting of programmes in Low German on private television?

Answer No. 93. The Free and Hanseatic City of Hamburg reports as follows:
These activities are pursued by the *Institut für niederdeutsche Sprache (INS)* (Institute for the Low German Language) which is supported by Hamburg with *Land* funds to an amount defined under the so-called Königstein Allocation Formula.

Mecklenburg-Western Pomerania

Question no. 94. Please provide information on the current extent of Low German programmes on private television programmes. For example, are there programmes in Low German on the 'Open Channel' in Neubrandenburg and Schwerin (see 2nd evaluation report, para. 588)?

Answer No. 94. The *Land* of Mecklenburg-Western Pomerania provides the following answer:
In the Hanseatic City of Rostock, the Open Channel *ROK-TV* airs two programmes per week in the Low German language in addition to interviews with speakers of Low German. Also, well-known personalities read Low German folktales in a fairy tale programme; and over the Christmas season, it broadcasts a programme in which children speak Low German and, for instance, pursue cookery and handicrafts/hobby activities.

In Schwerin, the Open Channel "*FiSCH*" (*Fernsehen in Schwerin*) airs the TV programme entitled "*Hörbuch zur Nacht*" ("The Bedtime Audiobook") (Mondays through Wednesdays, starting at 11:00 p.m., duration: half an hour; Tuesdays through Sundays, starting at midnight, duration: half an hour) which, *inter alia*, also presents Low German books.

Offener Kanal Schwerin-TV airs almost no Low German programmes at all; Neubrandenburg has the *NB-Radiotreff* which sets an excellent example for Low German broadcasting.

Lower Saxony

Question no. 95. Have any steps been made to encourage and/or facilitate the broadcasting of programmes in Low German on private television?

Answer No. 95. The answer provided by Lower Saxony Land is as follows:
Under Section 15, para. 2, of the Lower Saxon Media Act, the provider of a *Land*-wide of a full (generalist) programme is obliged to separate the respective transmission capacities for local and regional coverage on workdays, with the exception of Saturdays, and to broadcast different programmes providing topical and authentic information on the political, economic, social and cultural life of the given locality or region. Also, such programmes shall reflect the cultural diversity of the regions and the regional languages. On account of the rule of governmental non-intervention in broadcasting, no influence or control going beyond the above general requirements cannot be exerting on the programming activities of broadcasting corporations, especially private broadcasters, so that no measures have been taken to encourage or facilitate the broadcasting of programmes in Low German.

Schleswig-Holstein

Question no. 96. Have any steps been made to encourage and/or facilitate the broadcasting of programmes in Low German on private television?

Answer No. 96. The answer provided by **Schleswig-Holstein Land** contains the following information:

Freedom of the press and freedom of broadcasting include, in particular, the prohibition of any intervention by the state, which is not compatible with the freedoms of the press and of broadcasting or is not justified by the limitations [of the freedom of expression, etc.] mentioned in Article 5, para. 2, of the Basic Law ["These rights are subject to limitations embodied in the provisions of general legislation, statutory provisions for the protection of young persons and the citizen's right to personal respect."].

Consequently, public authorities responsible for media matters can only take any measures in those cases where government agencies directly or indirectly are competent, have power or play a role in the fields concerned. At all times, the principle of the media's independence and autonomy must be respected. Thus, the state is not authorized to give any direct instructions on when - and how many - reports must be broadcast in the minority or regional languages. This restriction is also expressed in the introductory sentence of Article 11, para. 1, of the Charter. While jurisdiction over broadcasting lies with the *Länder*, any direct state intervention by them on the content of programmes is not admissible under the Constitution.

d to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

Free Hanseatic City of Bremen

Question no. 97. Are there any specific measures aimed at encouraging and/or facilitating the production and distribution of audio and audiovisual works in Low German in Bremen, for example in the form of technical support, direct or indirect financial support (see 2nd evaluation report, para. 436)?

Answer No. 97. The Free Hanseatic City of **Bremen** reports the following measures:

Radio Bremen regularly broadcasts radio plays and news in the Low German language. In addition, both radio and TV stations air items, studio talks, and the like, in the Low German language with regard to current and topical affairs. With reference to these programmes, Radio Bremen provides regular follow-up training to its staff as regards the Low German language and its use in radio programmes.

When selecting (practical) trainees, *Radio Bremen* takes great care to ensure that part of these trainees come from the region. However, over the past few years, none of the applications had a good command of the Low German language. Nevertheless, *Radio Bremen* intends to continue its practice of screening applicants also in view of the qualification factor of having knowledge of the Low German language and, if they do have such knowledge, to take account of such language proficiency as a decisive criterion for trainee recruitment.

Free and Hanseatic City of Hamburg

Question no. 98. Are there any specific measures aimed at encouraging and/or facilitating the production and distribution of audio and audiovisual works in Low German in the City of Hamburg, for example in the form of technical support, direct or indirect financial support (see 2nd evaluation report, para. 514)?

Answer No. 98. The Free and Hanseatic City of **Hamburg** reports as follows:

Of course, the promotional programmes of *Filmförderung Hamburg/Schleswig-Holstein* (Film Promotion Board) which, as of August 2007, took over production-oriented promotion, also include productions in the Low German language. Regrettably, no applications to this effect are filed.

Also, the Hamburg Senate Authority for Cultural Affairs supports the *Quickborn-Vereinigung für niederdeutsche Sprache und Literatur* (Quickborn Association for the Low German Language and Literature) with annual grants to an amount ranging between 7700 € and 5500 € to be used for its publications and, in addition, supports the *Verein für Niederdeutsche Sprachforschung* (Association for Low German Language Research).

Lower Saxony

Question no. 99. Are there any specific measures aimed at encouraging and/or facilitating the production and distribution of audio and audiovisual works in Low German in Lower Saxony, for example in the form of technical support, direct or indirect financial support?

Answer No. 99. The answer provided by **Lower Saxony Land** is as follows:

In Lower Saxony, the production and distribution of audio and audiovisual works is supported by the *Landesmedienanstalt* (Land supervisory authority for private broadcasters, an institution under public law) and the *nordmedia* limited liability company (*Mediengesellschaft Niedersachsen/Bremen mbH*, a private-law corporation, with funds of the *Land*). Preference tends to be given to items in the Low German language, provided that applications to this effect are filed and the other eligibility criteria are met. Specific measures in the sense of a pro-active approach on the part of the state have not been taken because the available funds are not sufficient for granting all applications that are eligible for such promotional funding.

Schleswig-Holstein

Question no. 100. Are there any specific measures aimed at encouraging and/or facilitating the production and distribution of audio and audiovisual works in Low German in Schleswig-Holstein, for example in the form of technical support, direct or indirect financial support?

Answer No. 100. Schleswig-Holstein Land reports the following:

Of course, the promotional programmes of *Filmförderung Hamburg/Schleswig-Holstein* (Film Promotion Board) which, as of August 2007, took over production-oriented promotion, also include productions in the Low German language. Regrettably, no applications to this effect are filed.

- e *ii) to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;*

Free Hanseatic City of Bremen

Question no. 101. Have any audiovisual productions in Low German been subsidised recently by *nordmedia*?

Answer No. 101. The Free Hanseatic City of **Bremen** provides the following answer:

The media company *nordmedia* is the gemeinsame Filmfördereinrichtung of the *Länder* of Lower Saxony and Bremen. Among the productions subsidised over the past few years are the following (probably reported by Lower Saxony):

"*Land unter*" ("Land under water"): Stories about waters and stories about moors" (two documentaries), made in Ostfriesland, i.e. in East Frisian or Low German. Produced by the private company *Gesellschaft für den kulturwissenschaftlichen Film GbR*;

"*Lübbos Frau wartet*" ("Lübbo's wife is waiting"), a short (feature) film, also made in Ostfriesland. Of the two sentences spoken in this film, one is in standard German and the other in East Frisian. Produced by: Birthe Templin;

"*Sportsmann des Jahrhunderts*" ("Sportsman of the century"), a full-length feature film, made in Holland and Ostfriesland, mostly in Frisian or Standard Netherlandic. Produced by: *Neue Impuls Film Produktions-gesellschaft mbH*;

"*Apparatspott*" (about a spaceship built like a Apparatspott, i.e. an electrical pot for preparing food preserves), a full-length feature film, made in pure *Sulinger Platt* (Low German variety spoken in the area of the Lower Saxon town of Sulingen). Produced by the private "film-maker" company *filmemoker GbR*.

- f *ii) to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;*

Schleswig-Holstein

Question no. 102. Have the authorities considered ways in which the existing promotion schemes could be adapted with a view to ensuring that Low German productions can qualify for financial assistance more regularly (see 2nd evaluation report, para. 721)?

Answer No. 102. Schleswig-Holstein Land provides the following assessment:

In the *Land* Government's view, there is no need for adaptation. Sufficient funds are available, but are applied for too infrequently.

- g *to support the training of journalists and other staff for media using regional or minority languages;*

Question no. 103. Have the authorities of the Free Hanseatic City of Bremen taken any measures aimed at supporting the training of journalists and other staff for media using Low German?

Answer No. 103. The Free Hanseatic City of **Bremen** provides the following answer:

At Bremen University, Section 10 (*Fachbereich 10*) of the German Philology Department during the 2007/2008 winter semester offers Low German studies

- for the Master's/Bachelor's course of study, as part of the required study module "Interculturality, Media-Related Aesthetics, and Communication"; and
- for the Teachers'/Master's course of study, relating to the field of "Media Studies".

Seminars on the subject of "Low German and the Media" were also offered during the previous semesters.

Article 12 - Cultural Activities and Facilities

Paragraph 1

With regard to cultural activities and facilities - especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies - the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- b to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;*
- c to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;*

Schleswig-Holstein

Question no. 104. Please clarify whether translations are carried out from or into Low German (see 2nd evaluation report, para. 723).

Answer No. 104. Schleswig-Holstein Land provides the following answer and clarification: Reference is made to the information provided by Schleswig-Holstein in No. 5165 of the 3rd Periodical Report, which only pointed out the possibility for the mentioned institutions to provide translations within the limits of the allocated promotional funds. The Land Government does not know whether, and to what extent, use is actually made of this possibility. Therefore it is recommended that the Committee of Experts should obtain direct information on this point during its talks with these institutions on 7 November 2007.

Question no. 105. Do the authorities foster access in standard German to works produced in Low German, and access in Low German to works produced in standard German, by aiding and developing means other than translations, such as dubbing, post-synchronisation and subtitling activities (see 2nd evaluation report, para. 723).

Answer No. 105. The answer provided by Schleswig-Holstein is as follows: Reference is made to the information provided by Schleswig-Holstein in No. 5170 of the 3rd Periodical Report, which only pointed out the possibility for the mentioned institutions to provide dubbing, post-synchronisation and subtitling activities within the limits of the allocated promotional funds. The Land Government does not know whether, and to what extent, use is actually made of this possibility. Therefore, in this case, too, it is recommended that the Committee of Experts should obtain direct information on this point during its talks with these institutions on 7 November 2007.

- d to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing;*

Free Hanseatic City of Bremen

Question no. 106. Please provide information, including practical examples, on the ways in which bodies responsible for cultural activities make appropriate allowance for Low German (see 2nd evaluation report, para. 451).

Answer No. 106. The Free Hanseatic City of Bremen reports the following: When allocating street names, providing street-name signs and during guided tours of the city, e.g. the city district Schnoorviertel, reference is increasingly made to the Low German origins of such local names.

Free and Hanseatic City of Hamburg

Question no. 107. Please provide information, including practical examples, on the ways in which bodies responsible for cultural activities make appropriate allowance for Low German.

Answer No. 107. As reported by the Free and Hanseatic City of Hamburg, no examples are known in this respect.

- e to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;*

Free Hanseatic City of Bremen

Question no. 108. Have the authorities of the Free Hanseatic City of Bremen provided any incentives for the direct participation of Low German-speakers in providing facilities and planning cultural activities?

Answer No. 108. The Free Hanseatic City of Bremen provides the following answer: During the planning of regional cultural and citizens' centres, planners are encouraged to involve the organizations of the various language groups in the programme planning process.

- f* to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;

Free and Hanseatic City of Hamburg

Question no. 109. Have the Hamburg authorities taken any measures with a view to providing incentives for direct participation by representatives of Low German-speakers (see 2nd evaluation report, para. 529)?

Answer No. 109. **The Free and Hanseatic City of Hamburg reports 'nil'.**

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

Question no. 110. See question n° 24.

Answer No. 110. **Cf. Answer no. 24.**

Article 13 - Economic and Social Life

Paragraph 1

With regard to economic and social activities, the Parties undertake within the whole country:

- c* to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;

Question no. 111. See question n° 25.

Answer No. 111. **Cf. Answer no. 25.**

- d* to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.

Free and Hanseatic City of Hamburg

Question no. 112. Have the Hamburg authorities taken any measures to facilitate or encourage the use of Low German with regard to social and economic activities (for examples, see para. 540 of the 2nd evaluation report)?

Answer No. 112. **No answer has been supplied by the Free and Hanseatic City of Hamburg.**

Schleswig-Holstein

Question no. 113. Have the authorities of Schleswig-Holstein taken any measures to facilitate or encourage the use of Low German with regard to social and economic activities (for examples, see para. 738 of the 2nd evaluation report)?

Answer No. 113. **Schleswig-Holstein Land provides the following answer:**

Low German is spoken and understood, as a regional language, throughout this *Land* by very many inhabitants. Therefore, without exception, hospitals and social care facilities also employ staff having proficiency in the Low German language. This is regular practice, also in those cases where these services are ensured by private/commercial or voluntary, nonprofit providing bodies, on which government authorities cannot impose any regulations regarding these matters.

Paragraph 2

With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible

- c* to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;

Free Hanseatic City of Bremen

Question no. 114. Have the German authorities adopted a structured policy with a view to making more systematic the possibility for the persons concerned to be received and treated in Low German in social care facilities in Bremen?

Answer No. 114. The answer provided by the Free Hanseatic City of **Bremen** is as follows:
There is no structured policy for retirement homes, hostels and hospitals, but Low German speakers coming to these institutions will be individually approached by the staff of the facilities, of whom many are Low German speakers themselves.

Free and Hanseatic City of Hamburg

Question no. 115. Have the German authorities adopted a structured policy with a view to making more systematic the possibility for the persons concerned to be received and treated in Low German in social care facilities?

Answer No. 115. The Free and Hanseatic City of **Hamburg** provides the following answer:
In some of the retirement homes, residents still speak Low German. In these facilities, an adequate response by the nursing staff/attendants is generally ensured in the given cases. However, the City of Hamburg cannot ensure that *all* persons who are in need of care can, as a general rule, be received and treated also in Low German. Given the actual situation, such a general offer does not appear necessary since, in by far the most cases, there is nobody, also among the older population, who speaks Low German without being able to understand and speak standard German as well. In the rare case, however, that a person coming to such a facility should not have a command of standard German, the respective facility will endeavour to find an adequate solution. This is past and present practice.

Mecklenburg-Western Pomerania

Question no. 116. Have the German authorities adopted a structured policy with a view to making more systematic the possibility for the persons concerned to be received and treated in Low German in social care facilities?

Answer No. 116. The *Land* of **Mecklenburg-Western Pomerania** provides the following answer:
For instance, in the social care facilities, most of which have been privatized, it is the common practice to respond to the needs of persons speaking Low German. A large number of social care facilities have adopted a Low German corporate identity concept.

Schleswig-Holstein

Question no. 117. Have the German authorities adopted a structured policy with a view to making more systematic the possibility for the persons concerned to be received and treated in Low German in social care facilities?

Answer No. 117. The answer provided by **Schleswig-Holstein Land** is as follows:
As implied in the answer to Question no. 113, there is no need for additional regulations given the Low German language proficiency of a large number of staff members working in these facilities. Apart from a few exceptional cases, government authorities do not have the competence, in these matters, to lay down regulations applying to social care facilities.

Romany in Hesse

Article 8 - Education

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a** *i) to make available pre-school education in the relevant regional or minority languages; or
ii) to make available a substantial part of pre-school education in the relevant regional or minority languages; or
iii) to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or
iv) if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;*
- b** *i) to make available primary education in the relevant regional or minority languages; or
ii) to make available a substantial part of primary education in the relevant regional or minority languages; or
iii) to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
iv) to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;*
- c** *i) to make available secondary education in the relevant regional or minority languages; or
ii) to make available a substantial part of secondary education in the relevant regional or minority languages; or
iii) to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
iv) to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;*
- d** *i) to make available technical and vocational education in the relevant regional or minority languages; or
ii) to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
iii) to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
iv) to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;*
- e** *i) to make available university and other higher education in regional or minority languages; or
ii) to provide facilities for the study of these languages as university and higher education subjects; or
iii) if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;*

Question no. 118. Please state whether the new "education plan for children aged 0 to 10 years" is being applied to the Romany language (see 3rd periodical report, para. 4006a).

Answer No. 118. **Hesse Land provides the following answer:**

Beginning in the nursery school year/school year 2008/09, the Education Plan is to be implemented successively in children's day-care centres, primary schools and, to the extent possible, all other institutions of elementary and primary education. This will, of course, cover *all* children.

- h** *to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;*

Question no. 119. Do the authorities undertake any measures to ensure the training of teachers with regard to Romany at all levels of education?

Answer No. 119. **The answer provided by Hesse Land is as follows:**

The Hessian *Land* Government Hesse provides both institution-based support and project-oriented promotion to the Hessian *Land* Association of German Sinti and Roma. The *Land* Government provides these funds for the promotion of the Romany language with particular reference to the Charter for Regional or Minority Languages. It must be noted, however, that the representatives of the Sinti and Roma only accept teachers from their own group. Therefore, the dedicated project funds are used by the *Land* Association according to its own priorities and for purposes selected by the Association itself. In the *Land* Government's view, there are no reasons that would preclude using these funds for the training of suitable teachers, but the Land Association wishes first to clarify the demand and need for such training.

Question no. 120. Has the possibility to recruit Romany-speakers as teachers who did not pass the state examination been put into practice (see 2nd evaluation report, para. 753)?

Answer No. 120. **Hesse Land provides the following answer:**

Hesse has generally provided for the possibility in such cases to grant a teaching permission for a limited period of time.

Article 10 - Administrative Authorities and Public Services

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- e the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;*
- f the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;*

Question no. 121. Have the authorities encouraged the use of Romany in debates in the assemblies of the regional or local authorities? Have any practical arrangements been made which would enable speakers to make use of such a possibility (see 2nd evaluation report, para. 760)?

Answer No. 121. **The answer provided by Hesse Land is as follows:**

The Hessian Land Government has encouraged the local authority associations to make arrangements at the regional level to allow for the use of Romany in debates of the assemblies of the regional or local authorities.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

- c to allow users of regional or minority languages to submit a request in these languages.*

Question no. 122. Have measures of any kind been taken to encourage Romany-speakers to submit requests in Romany?

Answer No. 122. **The answer provided by Hesse Land is as follows:**

The Hessian Land Government has encouraged the local authority associations to make arrangements at the regional level to support submission of requests in Romany to [the assemblies of regional or local (*sic!*)] authorities.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

- c compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.*

Question no. 123. Have the authorities taken any measures to develop a policy to ensure compliance with possible requests from Romany-speakers to be appointed in the territory in which their knowledge of Romany could be most useful?

Answer No. 123. **Hesse Land provides the following answer:**

Under the legal provisions currently in force, public service employees may apply for transfer to another post. If and when staff members having a knowledge of the Romany language submit a request for being appointed in the region where this language is used, the Hessian Land Government will make every effort to comply with the wishes of these employees/officials. The pertinent legal bases are available.

Article 11 - Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

g *to support the training of journalists and other staff for media using regional or minority languages.*

Question no. 124. Does the Documentation and Cultural Centre support the training of journalists and other staff for media within the meaning of this undertaking (see 2nd evaluation report, para. 773)?

Answer No. 124. **On this point, no answer has been received.**

Article 12 - Cultural Activities and Facilities

Paragraph 2

In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.

Question no. 125. Have the *Land* authorities made appropriate provision, in pursuing their cultural policy abroad, for the Romany language and the culture it reflects?

Answer No. 125. **Hesse Land provides the following answer:**

Under Article 32 of the Basic Law, relations with other states shall be conducted by the Federation. The *Land* of Hesse does not pursue any cultural policy abroad. The Hessian *Land* Government expects that the Federal Government, in pursuing its relations with other states, makes appropriate provision for the Romany language and the culture it reflects.

The **Federal Government** refers to Answer no. 24.