



MIN-LANG/PR (2007) 3 Addendum 1

II. Report on Spain's compliance with the European Charter of Regional and Minority Languages of the European Council

**The Basque Language in the Basque Autonomous Community
Additional information for the Expert Committee**

Vitoria-Gasteiz, 26 September 2007

PRESENTATION:

This report contains information on a number of new and interesting aspects of the language policy implemented by the Basque Government in recent months. This information does not appear in the report prepared by the Basque Government in 2006, but we consider that it could be of interest to the Expert Committee in the preparation of its report and later recommendations.

We also add the information requested by the Expert Committee in the meeting held in Madrid last September 14th on the agreements between the Basque Government, the Ministry of Justice and the General Council of the Judiciary on language normalisation, and also on the possibilities of reception of the Basque public radio and television station (EiTB) in the Basque language in Navarre.

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1. - The use of the Basque Language in the Justice Administration

The Justice Department of the Basque Government has signed agreements in this area with the General Council of the Judiciary (1999) and the Ministry of Justice (1997).

The general results of the application of the activities stated in these agreements are shown in the table (below). Nevertheless, although some of the programmes are not specifically aimed at judges, prosecutors and clerks of the court they do have a major effect on the process of language normalisation.

1. - Learning of the Basque language (*Euskera*). Data on the last five exams:

Level achieved	Justices of the peace	Judges and magistrates	Clerks of the court	Prosecutors
1	2	12	6	5
2	2	12	7	4
3	2	7	7	2
4	1	4	6	2
5	2	4	8	1
6	1	6	8	1
7	2	4	4	1
8	4	5	4	1
9	1	5	3	
10		3	3	
11		5	7	
12	1		1	
Literacy 1 st level	3			
Literacy 2 nd level	1	1		
Level not determined	9	13	10	3

NOTE: The numbers of judges, prosecutors and clerks are included in the next point of the report.

2. - Accreditation of language profiles:

		TOTAL	PL1		PL2		PL3		PL4	
			total with PL1	% of total	total with PL2	% of the total	total with PL3	% of the total	total with PL4	% of the total
Judiciary	incumbents	188	7	3.72	8	4.26	1	0.53	1	0.53
	alternates	23	1	4.35					1	4.35
Clerks of the court	incumbents	147	2	1.36	7	4.76	4	2.72		
	alternates	31	2	6.45	4	12.90	1	3.23		
Prosecutors	incumbents	72								
	alternates	30	1	3.33			1	3.33		

3. - Use of the Basque language in judicial bodies:

In 1999 and 2000 initiatives called “**Pilot Experiments in the Use of the Basque language**” were put into practice. The main objective was to guarantee and foster the use of the Basque language in judicial bodies where it was implemented. Basically, the idea was to increase the presence of Basque in judicial offices.

Later on, “**Pilot Experiments in the Use of the Basque language**” became the so-called “**Programmes for the Use of the Basque Language**”. These programmes are simply a natural extension of previous initiatives in different judicial bodies, but supported by the experience obtained and intensified thanks to external contracts. They have consolidated work done previously and have managed to reach more bodies and implement more specific actions in each one, based on the specific needs of the civil servants involved.

The year 2005 was undoubtedly a quality leap forward in Programmes for the Use of the Basque Language. This happened, on one hand, through the bilingual computerisation of Magistrates’ Courts via the system called *Epainet*. It was implemented in a number of courts in 2004, and by 2005 was present in most Magistrates’ Courts in the Basque Autonomous Community. By early 2006 it was possible to issue documents in the official languages automatically without any kind of difficulty in over 100 Magistrates’ Courts in the 3 territories that make up the Basque Autonomous Community.

It can therefore be said that this application covers all the document issue needs of Magistrates' Courts.

Perhaps even more notable is the qualitative leap by Programmes for the Use of the Basque Language represented by the actions that have been carried out in traditional bodies through the strong promotion of the emission of bilingual documents. This is the case both for documents that were already being issued in the two languages and for the boost given to bilingual documents through automatic systems and teaching modules on writing skills.

This also had a particular effect on the training of Justice Department personnel in speaking Basque through specific teaching modules that have complemented the general efforts made in *euskaldunization* (the process of learning the Basque language). These modules aimed to prepare personnel to be able to deal with citizens who wished to be addressed in the Basque language.

As already indicated, the Programmes for the Use of the Basque Language aim to promote the use of Basque in the different judicial bodies of the Basque Autonomous Community, both Magistrates' Courts and other bodies.

A number of actions are currently being carried out to improve speaking and writing skills within the Programmes for the Use of the Basque Language in different judicial bodies in Bizkaia (Durango, Gernika, Getxo and Bilbao), Gipuzkoa (Bergara, Eibar and Tolosa) and Alava (Amurrio). Nine groups have worked on improving their speaking skills through the year, with emphasis on practice, natural use of the language and confidence (2 in Gernika and Amurrio, 4 in Getxo and 1 in Bilbao). Another 3 groups are analysing the situation of the Basque language in the workplace; they then propose activities and carry them out in courts (in Eibar, Bergara and Gernika). In all the areas of the Judiciary in which work has been done surveys have been carried out to evaluate progress and suggest improvements.

Other work has been done in the area of written documents to citizens, including experiments with automatic translation. This means that its use will be generally extended to other organisms in the Basque Autonomous Community. Much of the information entered into legal document templates is repeated, so it is possible to anticipate what needs to be translated into Basque. In 2006 an automatic translation program was produced which, combined with a translation memory, means that the civil servant does not have to do the work twice (in Spanish and Basque). The system incorporates many new features and the text entered in Spanish is automatically translated

to Basque. The following Courts already have automatic translation: Durango, Gernika, Getxo, Balmaseda and Bilbao (1st instance), Tolosa, Eibar, Bergara, Azpeitia, and San Sebastián (Criminal and Social).

Other documents that are very easy to fill in can be used in the two languages by any employee, whether he/she knows Basque or not, without the need for automatic translation. This has led to the elimination of the Spanish-only version of these documents and the bilingual version has been implemented. There are 222 bilingual documents now in use.

Thanks to automatic translation some judicial documents can be used in the two languages by all civil servants whether they know Basque or not. The text written in Spanish is automatically translated and the Basque translation is inserted in the right place in the document. Since October 2006 seven Courts in which the civil servants have to issue bilingual documents (Gernika and Tolosa, Eibar, Balmaseda, Bergara, Azpeitia, and the Criminal Courts of San Sebastián) use automatic translation.

As for Magistrates' Courts, almost all the documentation generated can be issued in the two languages thanks to the *Epainet* program, regardless of whether the employee knows Basque or not. The task of the Justice Department is to install and teach the program and encourage its use. The installation and use of *Epainet* is subsidised, as published in the last official announcement of financial assistance for Magistrates' Courts. In total, 123 Magistrates' Courts in the Basque Autonomous Community use *Epainet*.

The following projects are currently being carried out:

- *Trebatzailes* (trainers). Technical assistance has been contracted to cover all the judicial districts of the Basque Autonomous Community to extend the initiatives carried out in the districts mentioned above.
- Service to deal with queries and the translation of free texts. As a support mechanism to trainers and civil servants through answering queries and the translation of free texts for automatic translation, this service ensures that previous experiences are extended.
- Computer support. This service has been strengthened through the addition of more personnel with the firm intention of covering all the Magistrates' Courts in the Basque Autonomous Community, with a consequent increase in incidents recorded and improvements made.
- Teaching material. Since June 2007 a specialist company is preparing teaching materials on legal language that will be used in training sessions with civil servants.

Finally, a Congress on the Basque Language in the Justice Administration will be held in the last quarter of 2007, together with a campaign to increase citizens' awareness about their language rights in judicial bodies.

4. - Legal Basque

The Committee for the Normalisation of Legal Documents in Basque has the objective of standardising documents that are used in the daily work of judicial bodies. The hard work being done in this direction by different groups is essential in the harmonisation of the terminology of legal Basque. As for the members of the Committee, although many people have participated in it since it was set up it is currently made up by one representative of the Judiciary, representatives of the Bar Council of Bizkaia, two representatives from the Faculty of Law of the University of Deusto, the University of the Basque Country (UPV), representatives of the IVAP (Basque Institute of Public Administration), experts from the UZEI (Basque Centre of Terminology and Lexicography), translators from the Justice Administration and experts in language normalisation from the Office of Relations with the Justice Administration.

Through this period a lot of work has been done on the normalisation of legal documents. Up to June 2002 the priorities were outlined from the Office for Relations with the Justice Administration. Since the pilot projects on the use of the Basque language in judicial bodies have been implemented, however, civil servants from these bodies themselves (together with other personnel) have set the priorities on the basis of the following criteria:

1. The documents should be for use by citizens or other bodies of the Justice Administration and other Administrations.
2. The documents should be issued in two columns, just filling in the information on one occasion, or that they should be easier to fill in.
3. The documents should be those most frequently used.

In addition to all the standardised documents mentioned above, since the implementation of the experiments in the use of the Basque language, 2,536 standardised bilingual documents have been issued through the Basque Language Committee up to 31/07/2007. These can now be issued from terminals. Bilingual forms have also been implemented in 21 areas of all jurisdictions (civil, penal, administrative disputes, and social).

5.- Finally, we would point out that there is no program as such for judges and prosecutors to study and prepare for public competitive exams in Basque.

What is available is an annual call for the award of economic assistance in the preparation of public competitive exams for the Judiciary and Prosecution Service and the Body of Clerks of the Court.

The last call was published in BOPV¹ issue no. 188 on 28th September 2007. Knowledge of Basque is rated up to 25% on the scale of merit.

¹ Official Gazette of the Basque Autonomous Community

2. - Response to the Expert Committee's Recommendation of 21st September 2005 in the area of education

Recommendation 3: "increase teaching of Basque in the Basque Country, in particular with regard to secondary education and technical and vocational training".

The Basque Government has adopted a number of measures to increase the teaching of Basque in the different levels and stages of primary and secondary education.

As regards secondary education, the evolution of bilingual education models over the last six years has grown in model D (where subjects are taught in Basque with the exception of Spanish language) and model A has been requested less (all subjects are taught in Spanish with the exception of Basque language). This means that teaching in Basque is clearly on the rise and is now the majority option in Compulsory Secondary Education (ESO), accounting for over 50% in Baccalaureate and rising slowly in Vocational Training.

	2000/2001		2006/2007		Evolution 2000/01 – 2006/07	
	No. of students	(%)	No. of students	(%)	No. of students	(%)
Compulsory Secondary Education						
Total	81421		68526		-12895	
Model A	29117	35.76	16463	24.02	-12654	-9.76
Model B	19961	24.52	17214	25.12	-2747	0.6
Model D	31778	39.03	34849	50.86	3071	11.83
Vocational Training first level						
Total	10951		10721		-230	
Model A	8905	81.32	8347	77.86	-558	-3.46
Model B	627	5.73	321	2.99	-306	-2.74
Model D	1419	12.96	2053	19.15	634	6.68
Vocational Training higher level						
Total	17936		15644		-2292	
Model A	15247	85.01	12176	77.83	-3071	-7.18
Model B	859	4.79	396	2.53	-463	-2.26
Model D	1830	10.2	3072	19.64	-1242	9.44

3. - Collaboration between the Basque Government and the political institutions of the Northern Basque Country² in the area of language policy

The protocol signed in 2003 between the Basque Government and the Public Authorities of the Northern Basque Country gave rise to a new form of cooperation between the institutions of the Northern Basque Country and the Southern Basque Country.

In addition to establishing a solid basis for cross-border institutional collaboration in the area of language policy, the protocol provided standardisation and stability for joint work between the institutions.

When the Public Office of the Basque Language was set up in 2004 (composed by the French Government, the Regional Council of Aquitaine, the Department of Pyrénées Atlantiques, the Council of Elected Posts of the Basque Country and the Intercommunal Syndicate for support of Basque Culture), the two parties agreed to extend the protocol for 2003 and 2004 to 2005 and 2006. They also agreed to prepare guidelines for institutional cooperation of a more ambitious nature.

On 7th February 2007 a language policy collaboration agreement was signed by the Deputy Minister for Language Policy of the Basque Government and the French Public Body for the Basque Language. The agreement sets out to demonstrate the desire of the Basque Government and the French Public Body for the Basque Language to work together in the area of language policy related to Basque, and to establish and set up stable inter-institutional relations, while respecting the decision-making capacity and operational rules of both public entities at all times.

This agreement is the main reference framework for collaboration and will be renewed annually in the form of an annex up to 2010.

The activities that can be jointly organised by the cross-border institutions will be the following:

Transmission of the Basque language: the aim is to increase the number of speakers of all ages, and thus reverse the trend that socio-linguistic studies have reported over the last few years.

² The Basque Country in French territory. Name in Basque: *Iparralde*

2. - Presence and Use of the Basque language: foster the presence of Basque in all sectors of public and private life, with the following aims:

- That its presence should be increased, both visual and oral
- Create a process that increases the use of Basque by speakers of the language
- That the language should gradually recover or acquire its communicative function

3. - Quality of language: this responds to the objective of preserving and increasing the quality of the Basque language (both oral and written) in different areas of public and private life.

4. - Motivation: across the board. The objective is to arouse interest around the language and strengthen society's use of it with the aim of increasing efficiency in each of the domains stated above.

Research will be carried out to learn more about the socio-linguistic evolution of Basque. This will, in turn, help to achieve the objectives stated above, e.g. the 4th Socio-linguistic Survey of the Basque Country, the definition of indicators related to the presence and use of the Basque language and the exchange of information about these data.

Within the framework of this agreement, this year a call for joint aid has been published with a view to promoting the use of the Basque language in Iparralde. A fund of 1,450,000 euros has been assigned for 2007; the French Public Body for the Basque Language has contributed 1,000,000 euros and the Basque Government 450,000 euros. The contribution of the Basque Government specifically aimed at Iparralde has increased by 50% over the figure for 2006.

In total, 88 projects have been presented to receive this aid by 65 interested parties.

4. - Collaboration between the Basque Government and the public institutions of Navarre.

The 1st Report on Evaluation and Recommendation of the Expert Committee of the Council of Europe in 2005 refers to the following: “The fact that Basque is divided between two different administrative entities, i.e. the two Autonomous Communities in question, involves the need to establish close coordination between them” (paragraph 100 of the report). In the same vein, in paragraph 134 *bis* the Expert Committee “...urges all the competent authorities to find ways of strengthening cooperation between the Basque Country and Navarre in the domains covered by the Charter”.

As a result, the Basque Government has tried to set up some kind of collaboration with the Government of Navarre in the area of language policy over the last two years, although this has not been possible because the Government of Navarre has systematically rejected any proposals for collaboration from the Deputy Minister for Language Policy of the Basque Government.

Collaboration has occurred in the past with other governments in Navarre, e.g. in the areas of terminology and lexicography, normalisation of the corpus of the language, joint presence in international language fairs, etc. As of today, such collaboration is unfortunately not possible.

However, the Basque Government is still interested in making this collaboration possible. This is even more the case if we consider that the Basque Government is collaborating on language policy with other regional governments in Spain and other countries, for example, the *Generalitat* of Catalonia and the *Xunta* of Galicia, all the public institutions of the French Basque Country (including the French Government) and the governments of Colombia and Chile. We have signed collaboration agreements with all of them and we also cooperate with bodies and governments in other countries.

Once more, the Basque Government states its wish to collaborate with other institutions in the field of the Basque language, thereby complying with the content of the European Charter and the Expert Committee’s report on the application of the Charter in Spain.

The Basque Government therefore reiterates its willingness to bring about collaboration between the Basque Government and the Government of Navarre in favour of the normalisation of Basque, based on full inter-

institutional respect, as has been the case between the Basque Government and the public authorities of the French Basque Country.

Given this situation, the Central Administration of the (Spanish) State should foster and facilitate common initiatives in the territories that share the same language, under the commitment undertaken in section b) of the first paragraph of article 7 of the Charter.

Below we present the document published in several media in September. Its author is the Deputy Minister for Language Policy of the Basque Government, Patxi Baztarrika.

“THE BASQUE LANGUAGE: “INTERFERENCE NO, COLLABORATION YES”

During the presentation last week of the Basque Government’s assessment of Spain’s compliance with the European Charter for Regional or Minority Languages in relation to Basque, I stated the Basque Government’s desire to “propose the creation and setting up of a Common and Permanent Organ between the Government of Navarre and the Basque Government for the promotion of the use of the Basque language, a body that would allow the coordination of the two governments’ language policies based on full respect for each others’ institutions and their respective legal-administrative structures” (literal text of the press release). I added that this proposal would be officially notified to the Government of Navarre immediately after the appointment of the Director of Euskararen Nafar Institutua/Instituto Navarro del Vascuence³, a recently created public body that takes over the powers related to the promotion and dissemination of the Basque language in Navarre.

I did not expect such sharp reactions, nor that a proposal for collaboration should be called a ‘provocation’ and condemned to the eternal fire in a great variety of defamatory personal remarks about me, even a call for me to be sacked (so much for interference!). This is a real pity, particularly if we consider that the Basque Government’s proposal not only responds to a legitimate conviction –expressed on many occasions- in favour of collaboration in the promotion of the Basque language, but also contained in the European Charter itself and the assessment and/or recommendation expressly made by the Council of Europe in its Monitoring Report on 2005.

We should remember that in the definitive report on 2005 assumed by the Council of Europe the Expert Committee expressed itself as follows (paragraph 100): “The fact that Basque is divided between two different administrative entities, i.e. the two Autonomous Communities in question, involves the need to establish close coordination between them”. In paragraph 134 bis the Expert Committee “...urges all the competent authorities to find ways of strengthening cooperation between the Basque Country and Navarre in the domains covered by the charter”, i.e. in education, justice, public and administrative services, the media, cultural activities and services, economic and social life, and also cross-border exchanges. As far as I know, nobody – not even the Government

³ Basque Language Institute of Navarre

of Navarre -, has considered the opinion of the Council of Europe as ‘interference’, and it would be foolish to cast doubt on commitments previously ratified by the Spanish State. Likewise, it is hard to understand how a proposal for collaboration repeatedly made by the Basque Government on the basis of “full respect for institutions and their respective legal-administrative structures” could be considered as interference, when the materialization of that very proposal would precisely comply with the content of the European Charter and the recommendations of the Council of Europe.

Nor do I think that the point contained in the draft of the latest report presented by the Spanish Government be considered as interference: “According to the Basque Government, outside the Basque Autonomous Community the low percentage of bilingual speakers in the coastal area of the Northern Basque Country and in the South of Navarre is also notable”, and “the administrative divisions in the territory where Basque is spoken and the existence of different ways or options of understanding the language policy to be followed in relation to the common language make it more difficult to carry out positive and coordinated actions between the Basque Autonomous Community and Navarre. The Basque Government considers that a standing body for collaboration and coordination would be desirable vis-à-vis the promotion and the use of the Basque language between these two public institutions (...)The Basque Government therefore reiterates its willingness to bring about collaboration between the Basque Government and the Government of Navarre in favour of the normalisation of Basque, based on full inter-institutional respect, as has been the case between the Basque Government and the public authorities of the French Basque Country. According to the Basque Government, however, the Government of Navarre has rejected the proposal to collaborate”. It is an irrefutable fact, not an opinion, that that the Basque Government has not prevented or declined to cooperate with the Government of Navarre following the recommendation by the EU authorities. On the other hand, over the last few years the Government of Navarre (as is widely known) has refused to collaborate. So, if the Basque Government decided to withdraw its cooperation would that be considered ‘interference’?

How can one explain that two communities that share borders and a linguistic and cultural heritage turn their backs on each other in anything to with the promotion of knowledge and the use of the Basque language? How can one explain that the Basque Government can sign stable cooperation agreements with all the public institutions in Iparralde –including the Prefecture of the French Government- or with the governments of Chile and Colombia, and that other countries are interested in working with us, and that we have stable collaboration agreements with the governments of Catalonia and Galicia but something similar is not possible with the Government of Navarre? How can one explain that it has not even been possible to collaborate in the drawing up of the 4th Socio-Linguistic Survey of Basque in Navarre while this has been possible with the institutions of Iparralde? I am indignant that it is possible to speak about roads or railway lines but that discussion about the Basque language should be a taboo.

Let us turn over a new leaf. We need to look forward. The ideology of Basque should be precisely that it has nothing to do with ideologies. I ask that nobody should be tempted to use Basque in a partisan way, because if the language really is a heritage that belongs to everyone without exception, above any legitimate political and legal-administrative interests, we have an obligation to work together and join forces for the common good that the language represents. This would be done, of course, on the basis of

full institutional respect, compliance with the legal system and the fact that each government will decide on language policy in its territory. Working for the benefit of Basque can only mean advantages for coexistence and respectful understanding between the citizens of Navarre and Euskadi. Basque is too weak for us not to join forces, resources and wills.

This is my response to the defamations and insults I have received, and these are the reasons behind the Basque Government's proposals. I have been asked to retract. I do not ask people to retract, not even the insults, but I do if the problem lies in the name "Common and Permanent Organ for the Promotion of Basque". I hereby state this and acknowledge that any other name could be valid. What I really want, and I will not give up on this, is collaboration. I would even be prepared to accept collaboration without any particular title attached to it, and neither would I have problems in accepting different levels of collaboration according to the wishes of the Government of Navarre. The important thing is to get started, and the road we can see on the horizon is one of improvement. Let us take that road, following the advice of the Council of Europe and thus strengthen cooperation to promote Basque. In any event, the beneficiaries will be the citizens of Navarre and Euskadi."

Patxi Baztarrika, Deputy Minister for Language Policy of the Basque Government

Conclusion: it is not in the Basque Government's interest to look to the past, we want to look forward and make a sincere and efficient contribution, based on full inter-institutional respect, to opening up channels of collaboration in the promotion and protection of Basque. Languages do not understand frontiers or divisions that detract. Languages are for coming together and improving coexistence on the basis of respect and tolerance.

5. - Collaboration Protocol between the Basque Government, the Generalitat of Catalonia and the Xunta de Galicia in the area of language policy

On 16th March 2007 the first global cooperation agreement in the area of language was signed between the three governments. The agreement, effective for three years (extendable) will allow the exchange and comparison of experiences and the promotion of projects and actions in the interests of greater equality among languages.

Relations in the area of language policy between the governments of Euskadi, Catalonia and Galicia have seen different levels and degrees of collaboration. For example, the collaboration between the Basque Government and the Generalitat of Catalonia goes back a long way and many projects have taken place for the exchange of information and experiences in policy-making. One result of this joint effort is a protocol signed by both governments in March 2005. A few months later, a similar arrangement was made between the Generalitat of Catalonia and the Xunta of Galicia, and in May 2006 both institutions signed a collaboration protocol in the area of language policy. In 2007 a decisive step has been taken in the form of an ongoing cooperation agreement between the three governments.

The Governments of Galicia, Catalonia and Euskadi are strongly committed to the revitalisation and normalisation of the use of their own languages (Galician, Catalan and Euskera). On the basis of this firm commitment, which takes the form of continuous positive language policies in favour of the normalisation of each language in each country, the three governments consider that – based on full respect for each other’s policies and their specific features – it is really efficient and positive to define and develop a stable and permanent cooperation framework that will enable the exchange and comparison of experiences and will drive projects and actions in the interest of greater social equality among the languages.

It is clear that Euskadi, Catalonia and Galicia represent different socio-linguistic realities, but it is no less true that cooperation between them and the comparison of language policies can only lead to benefits for normalisation processes in each country, plus the treatment of these languages in the Spanish State. The three countries have experience, information and knowledge that can be compared and shared.

6. - ELEBIDE: a service to guarantee language rights

The Deputy Ministry for Language Policy of the Basque Government considered it necessary to create ‘Elebide’ in October 2006 with the clear aim of driving bilingualism in the Basque Autonomous Community. This is because 100% of communication in both languages is not guaranteed as yet, unfortunately, either in public bodies or private entities.

This service helps Basque citizens to express themselves in either of the two languages according to their choice.

The main aim of Elebide is that people who wish to communicate in the Basque language should have a service that supports them and makes this possible. Its objective, therefore, is a dual one: 1) protect the rights of those people who wish to use Basque in their lives, and 2) inform heads of institutions, companies and services when these rights are not guaranteed. They would be offered help to put these situations right, because on many occasions they are not even aware that it is a problem.

Elebide, therefore, does not set out to punish but to inform heads of companies and public bodies of cases in which the language rights of citizens are not being guaranteed. It is not only a case of lack of awareness about the issue; many people have no idea about how to solve it. Information is provided on peoples’ language rights and all kinds of training and assistance are provided.

What Elebide offers:

Processing of claims or complaints: If a person considers his/her language rights have been infringed he/she can contact Elebide. The service will listen to the complaint, activate the process and monitor the situation so that the entity in question can put the situation right.

Information and consultancy: The service provides information and consultancy on available resources for people who have doubts about their language rights, current legislation or other related issues.

Cooperation with people who receive claims (if they wish): Elebide is at the disposal of any entity that receives a claim with the aim of helping it to respect language rights.

Coordination with entities and institutions: Elebide coordinates with different organs of the Administration so that users’ rights are defended and current legislation is complied with.

Compilation of proposals and suggestions: Elebide listens to any proposal or suggestion related to the protection of language rights.

7.- Local terrestrial TV

On 3rd October 2006 the Basque Government approved Decree 190/2006, which regulates terrestrial TV services. The First Transitory Provision of the decree establishes the language criteria, as follows:

1. Objective: to promote the Basque language as the preferential broadcasting language.
2. Basque will be the preferential language on all TV stations, both public and private. No TV stations will only broadcast in Spanish. Generally, bilingual formats will be favoured but broadcasts entirely in Basque will be promoted (or those that comply with criteria that give a positive position to Basque above the minimum level required).
3. The aim is that Basque will have access to DTT in the future. We want to change the present situation, and in order to do this a number of measures have been established with a view to achieving this objective.
4. The proposed language model takes into account the socio-linguistic situation of each area, with the number of bilingual people.
5. A quota system has been established based on a system of minimums according to the socio-linguistic index, thus guaranteeing the right of citizens to receive information in both Basque and Spanish.
6. Broadcasts in Basque on channels that are not completely in Basque (either directly or indirectly managed) will take place within a time band between 7 a.m. and 12 p.m., and proportionally distributed among the different broadcasting time bands.
7. In any event, in prime time programmes Basque should occupy at least the percentage of hours equivalent to the socio-linguistic index that corresponds to the area in question. In the case of TV channels that are directly run by municipal councils, the percentage and index will be a minimum of 50%.
8. Once these minimum levels have been exceeded, there is a possibility of making broadcasts completely in Basque –which are the priority– provided that (like the rest) they comply with technical and economic viability criteria.
9. The duties of licence holders vis-à-vis the Administration are greater in the case of municipal councils, because public institutions should set an example in the implementation of public policies.
10. In areas in which the number of bilingual people is below 50% and, therefore, minimum programming in Basque would also be lower than in Spanish, in order to promote the use of Basque as the preferential broadcasting language the government will have the capacity to reserve one channel for a later call for tenders if no viable offer presented

guarantees programmes in Basque over 50% of the time together with a commitment to gradually increase this figure, and also provided that there is always a significant number of programmed hours in relation to other operators in the area.

Currently, the map of local terrestrial TV stations is as follows:

Area	No. of TV stations	Use of Basque in the first year (%)			
		100	75-99	50-74	20-49
Laudio	4	1	1		2
Gasteiz	4	1	1	1	1
Beasain	4	1	1	1	1
Eibar	4	1	1		2
Arrasate	4	1	1	1	1
S. Sebastian	4	1	1	1	1
Tolosa	4	1	1	1	1
Zarautz	4	1	1	2	
Irun	4	1	1		2
Barakaldo	4	1		1	2
Bermeo	4	1	1	2	
Bilbao	4	1	1		2
Durango	4	1	1		2
Mungia	3	1			2
Getxo	4	1			3
Total	15	15	12	10	22

Summary: of a total of 59 local digital TV stations, 15 will broadcast completely in Basque, 12 between 75%-99% of their programmes, 10 between 50%-74% and the remaining 22 between 20%-49%. We would underline that all areas will have TV completely in Basque, and 62.7% will broadcast over 50% in Basque.

8.- Broadcasts by EiTB in Navarre⁴

EiTB does not have a solid network in Navarre to ensure good broadcasting of its radio and TV programmes. The Government of Navarre has never paid much attention to this issue and has never facilitated the installation and/or maintenance of a network. Given this situation, private initiative and (in some cases) local institutions have proposed one-off and local solutions in order to ensure reception of EiTB's radio and TV programmes.

In large population areas private initiative has asked for our help in receiving the signal, while local institutions have moved the issue in rural areas. Current coverage is approximately 85% of the population of Navarre and 60% of its territory.

Despite all the difficulties and the precarious nature of broadcasts, demand from people in Navarre has become one of the most powerful reasons for achieving this coverage. Audience studies carried out by CIES show that EiTB has a more than appreciable audience in Navarre, where ETB-1⁵ is seen by 30,000 people every day, ETB-2⁶ reaches 90,000 viewers per day and EiTB's radio stations have an audience of 30,000.

Broadcasts by EiTB in Navarre are made with quality parameters that sometimes are not up to the required level. This is the result, as we have said, of the lack of a network with a solid structure.

It is easy to deduce from the above that EiTB has no concessions in Navarre, which means that a very limited spectrum of frequencies has to be used. This makes it even more difficult to provide good coverage because it is necessary to avoid interference with other stations. This situation has got worse in the last three years as a result of the saturation of radio wave bands.

Therefore, any decision to allocate new radio frequencies prejudices the already precarious situation of EiTB's broadcasts even more.

In relation to radio broadcasts in Basque, we would highlight the specific difficulties of EUSKADI IRRATIA and EUSKADI GAZTEA in covering the Pamplona area at present. They do not have specific frequencies for the zone

⁴ Information provided by EiTB

⁵ Basque language channel

⁶ Spanish language channel

in question, nor do they have broadcasting antennae near the city. As a result, reception is particularly poor in many parts of Pamplona.

As for digital terrestrial TV, the situation is even worse because the Government of Navarre has not issued any authorisation for EiTb to broadcast in this format.

The maintenance of the strategy used with analogue broadcasts to provide support to DTT, in the case of lack of an institutional agreement, would be very expensive. In many cases, moreover, this would not be viable as a result of the current state of the infrastructures.