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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN SWITZERLAND

6th monitoring cycle

A. Report of the Committee of Experts on the Charter

(adopted on 16 June 2016)

B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Switzerland

(adopted on 14 December 2016)

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

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a Party is required to submit to the Secretary General. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned. The periodical report shall be made public by the State in accordance with Article 15, paragraph 2.

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

Having concluded this process, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective State Party for possible comments within a given deadline. Subsequently, the evaluation report is submitted to the Committee of Ministers, together with suggestions for recommendations that, once adopted by the latter, will be addressed to the State Party. The full report also contains the comments which the authorities of the State Party may have made.

CONTENTS

A.	Report of the Committee of Experts on the application of the Charter in Switzerland	4
	Executive summary	4
	Chapter 1 Background information.....	5
	<i>1.1. The ratification of the Charter by Switzerland.....</i>	<i>5</i>
	<i>1.2. The work of the Committee of Experts</i>	<i>5</i>
	<i>1.3. General issues</i>	<i>5</i>
	Chapter 2 Conclusions of the Committee of Experts on how the Swiss authorities have reacted to the recommendations of the Committee of Ministers.....	7
	Chapter 3 The Committee of Experts' evaluation in respect of Part II and Part III of the Charter	8
	<i>3.1. The evaluation in respect of Part II of the Charter.....</i>	<i>8</i>
	<i>3.2. The evaluation in respect of Part III of the Charter.....</i>	<i>14</i>
	3.2.1. Preliminary remarks on the approach of the Committee of Experts in respect of Part III	14
	3.2.2. Romansh	14
	3.2.3. Italian	18
	Chapter 4 Findings of the Committee of Experts in the sixth monitoring cycle	19
	Appendix I: Instrument of Ratification.....	20
	Appendix II: Comments from the Swiss authorities	22
B.	Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Switzerland	23

A. Report of the Committee of Experts on the application of the Charter in Switzerland

adopted by the Committee of Experts on 16 June 2016
and presented to the Committee of Ministers of the Council of Europe
in accordance with Article 16 of the Charter

Executive summary

Switzerland protects and promotes French, German, Italian, Romansh and Yenish under the Charter. By and large, the situation of these languages is satisfactory.

In this monitoring cycle there have been positive advances concerning the Part III languages - Italian and Romansh. As far as Romansh is concerned, the situation in education and media is encouraging. However, the municipality mergers in the Canton of Graubünden/Grischun/Grigioni could potentially reduce the use of Romansh in the near future. The situation of Italian in the Canton of Ticino is fully in line with the Charter. Concerning Italian in the Canton of Graubünden/Grischun/Grigioni, some problems persist in cantonal administration and in the public sector under the control of the canton.

A structured policy is needed to guarantee the protection and promotion of French and German as Part II languages as far as they constitute minority languages in the officially bilingual cantons. The authorities are invited to apply Part II of the Charter to Franco-Provençal.

Chapter 1 Background information

1.1. The ratification of the Charter by Switzerland

1. Switzerland signed the European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) on 8 October 1993. The Federal Council decided to ratify it on 31 October 1997. The Swiss authorities formally ratified it on 23 December 1997. The Charter entered into force in respect of Switzerland on 1 April 1998.

2. Article 15.1 of the Charter requires States Parties to submit three-yearly reports in a form prescribed by the Committee of Ministers¹. The Swiss authorities presented their sixth periodical report to the Secretary General of the Council of Europe on 15 December 2015.

1.2. The work of the Committee of Experts

3. This sixth evaluation report is based on the information obtained by the Committee of Experts from the sixth periodical report of Switzerland, as well as through interviews held with representatives of the speakers of the regional or minority languages in Switzerland and representatives of federal, cantonal and municipal authorities during the on-the-spot visit (9-10 May 2016). The present report reflects the policies, legislation and practice prevailing at the time of the on-the-spot visit. Any changes will be taken into account in the next report of the Committee of Experts concerning Switzerland.

4. The present report focuses on the measures taken by the Swiss authorities to respond to the findings of the Committee of Experts in the fifth monitoring cycle and to the recommendations addressed to the Swiss authorities by the Committee of Ministers. It also aims to highlight new issues detected by the Committee of Experts during the sixth monitoring cycle.

5. The report contains detailed observations which the Swiss authorities are urged to take into account in order to further develop their policy on regional or minority languages. The Committee of Experts has, on the basis of its detailed recommendations, also established a list of general proposals for the preparation of a sixth set of recommendations to be addressed to Switzerland by the Committee of Ministers, as provided in Article 16.4 of the Charter (Chapter 4.2. of this report).

6. The present report was adopted by the Committee of Experts on 16 June 2016.

1.3. General issues

Franco-Provençal

7. In the fifth evaluation report, the Committee of Experts encouraged the Swiss authorities to examine, in co-operation with the respective cantonal authorities and representatives of the speakers, whether Franco-Provençal constituted a regional or minority language in the sense of Article 1.a of the Charter and to report on the outcome in the next periodical report.

8. According to the sixth periodical report, Franco-Provençal is spoken by approximately 11,000 people in the Cantons of Valais/Wallis, Fribourg/Freiburg and Vaud. The “Universités Populaires” of Fribourg/Freiburg and Valais/Wallis offer courses in Franco-Provençal. In some municipalities, primary and secondary schools offer optional courses. All four universities in the French-speaking part of Switzerland – Lausanne, Geneva, Fribourg/Freiburg and Neuchâtel – offer courses in Franco-Provençal. The Dialectology Centre of the University of Neuchâtel has published a glossary of Franco-Provençal. A number of cultural activities in or around Franco-Provençal (and Franc-Comtois²) have been developed by associations in the cantons of Valais/Wallis, Fribourg/Freiburg, Vaud (and Jura).

9. According to the sixth periodical report, the cantons of Fribourg/Freiburg and Valais/Wallis envisage financial support for projects linked to Franco-Provençal. The Canton of Valais/Wallis set up a foundation for the promotion of Patois. The use of Franco-Provençal has been included in the list of Living Traditions in the cantons of Valais/Wallis, Fribourg/Freiburg and Vaud as well as in the Swiss national list of Living Traditions.

¹ MIN-LANG(2009)8 Outline for three-yearly periodical reports as adopted by the Committee of Ministers of the Council of Europe

² Patois is a hypernym for both Franco-Provençal and Franc-Comtois. In the Cantons of Valais/Wallis, Fribourg/Freiburg and Vaud, Patois means Franco-Provençal. The constitution of the Canton of Jura mentions Patois – i.e. Franc-Comtois – as part of the cultural heritage of the canton.

However, the sixth periodical report does not contain specific information on whether the Swiss authorities consider Franco-Provençal as a regional or minority language in the sense of Article 1.a of the Charter.

10. During the on-the-spot visit, the Committee of Experts was informed by associations of speakers that they had expressed their wish for Franco-Provençal to be recognised as a regional or minority language in the sense of Article 1.a of the Charter. Similar aspirations have been developed with regard to Franc-Comtois.

11. There seems to be a general consensus in Swiss society that Franco-Provençal is a language in its own right which has been traditionally used in Switzerland. The Committee of Experts invites the Swiss authorities to apply Part II to Franco-Provençal in cooperation with the speakers.

Chapter 2 Conclusions of the Committee of Experts on how the Swiss authorities have reacted to the recommendations of the Committee of Ministers

Recommendation no. 1:

“ensure that the introduction and establishment of Rumantsch Grischun in schools takes into account the traditionally used idioms in order to protect and promote Romansh as a living language;”

12. There was a radical change in the use of the written varieties – “idioms” - of Romansh in schools at the end of the previous monitoring cycle. In three out of the five idiom areas primary and secondary schools adopted their respective idioms as the language of instruction. Rumantsch Grischun, the standard written form of Romansh, remained the language of education in the few primary schools of the other two idiom areas and in the bilingual schools in Chur. In fact, the cantonal parliament had already decided in 2011 to allow the use of the five written varieties of Romansh to be taught in schools together with Rumantsch Grischun according to an established scheme. Since then, the co-existence model has allowed for the teaching of the five varieties of Romansh complemented by Rumantsch Grischun as a sixth form of expression.

13. However, positions are still polarised between municipalities, institutions, associations and groups of speakers with respect to the use of Rumantsch Grischun, especially in education.

Recommendation no. 2:

“promote the use of Italian in the economic and social public sector under the control of the canton of Graubünden.”

14. In spite of measures taken by the cantonal authorities of Graubünden/Grischun/Grigioni, the use of Italian remained disproportionately low in the cantonal public services and their websites.

Chapter 3 The Committee of Experts' evaluation in respect of Part II and Part III of the Charter

3.1. The evaluation in respect of Part II of the Charter

15. Apart from the languages additionally covered by Part III of the Charter (Romansh and Italian in the Cantons of Graubünden/Grischun/Grigioni and Ticino), Part II applies to French (Canton of Bern/Berne), German (Cantons of Fribourg/Freiburg and Valais/Wallis; municipalities of Bosco-Gurin (Canton of Ticino) and Ederswiler (Canton of Jura)) as well as to Yenish, which is a non-territorial language.

16. The Committee of Experts will not comment again on Articles 7.1.a, f, g, i, 7.2 and 7.4, as no major issues arose in these areas during the sixth monitoring cycle.

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:

- b. the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;*

Romansh

17. In the fifth evaluation report, the Committee of Experts looked forward to receiving, in the next periodical report, further information on the practical implementation of measures on the promotion of Romansh in the new framework after the municipality mergers, especially at the language border (typically important German-speaking municipalities with adjacent smaller Romansh-speaking municipalities).

18. According to the sixth periodical report, after the first case of Glion/Ilanz, three more similar mergers took place recently at the language border. The report states that the Canton of Graubünden/Grischun/Grigioni has refrained from imposing solutions from the cantonal level, but encourages the municipalities to find local solutions. In the case of Glion/Ilanz, municipality level laws were adopted in August 2015 on the official language of the municipality as well as on the promotion of the languages. Lia Rumantscha, the umbrella association of Romansh speakers, contributed to the drafting of these legal texts.

19. During the on-the-spot visit, the Committee of Experts was informed by the representatives of the speakers that the lack of a clear legal framework in the new municipalities created by mergers creates a "law of the stronger" situation, where not even the upholding of the current level of protection of Romansh is provided for, not to mention its promotion and development. The use of Romansh in public life is generally decreasing. An increasing number of stakeholders express their wish to have English as the only second language in primary schools (instead of the minority language).

20. The Committee of Experts considers the situation after municipality mergers as bearing serious risks for Romansh. It strongly encourages the Swiss authorities to take measures to ensure that existing or new administrative divisions do not constitute an obstacle to the use of Romansh. The Committee of Experts also asks the Swiss authorities to provide information, in the next periodical report, on the practical implementation of these measures.

German (Municipality of Bosco-Gurin, Ticino)

21. During the sixth monitoring cycle, the Committee of Experts was informed that the municipality of Bosco-Gurin, the only German-speaking municipality in Ticino, is expected to merge with neighbouring municipalities. So far, no special arrangements are foreseen to take into account the linguistic particularity of Bosco-Gurin and the use of German in certain fields of local administration. In order to avoid negative repercussions on the situation of the language, representatives of the speakers have reiterated their long-standing wish to formally recognise the role of German as the municipality's second official language.

22. The Committee of Experts encourages the competent Swiss authorities to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of German in Bosco-Gurin. In that context, the Committee of Experts refers to its recommendation under Article 7 (1) d concerning the adoption of a legal text regulating the official use of German in the municipality of Bosco-Gurin.

c. the need for resolute action to promote regional or minority languages in order to safeguard them;

23. In the fifth evaluation report, the Committee of Experts welcomed the developments made possible by the Federal Language Law, new at the time of the last cycle, and the regulation on its application which included measures facilitating the use of the lesser-used official languages at federal level. This included the creation of a post of delegate for multilingualism and 16 additional posts of translators into German and Italian.

24. According to the sixth periodical report, the position of delegate for multilingualism in the Federal Administration has been created. It is part of the General Secretariat of the Federal Department of Finances. The position of delegate has been provided for by the Federal Law on National Languages and Understanding between the Language Communities (hereafter referred to as the Federal Language Law) which entered into force on 1 January 2010.

25. Besides the parliamentary intergroup "Italianità", in existence since 2012, two new parliamentary intergroups promoting minority languages and multilingualism have been created: the group "Lingua e cultura rumantscha" in December 2013 and the group "Plurilinguisme CH" in June 2015. The latter was created after conflicts about the teaching of languages. The Plurilinguisme CH intergroup aims to appeal to the public to support for Swiss national languages and the cohesion of the country.

26. According to the sixth periodical report, the federal authorities provide support for the bilingual and trilingual cantons (Fribourg/Freiburg, Bern/Berne, Valais/Wallis and Graubünden/Grischun/Grigioni) for their specific tasks in maintaining and promoting their respective bilingual or trilingual character. This is carried out via a multi-annual contract of payments with each canton separately. The priorities for the contract period are defined by the canton concerned.

27. According to the sixth periodical report, the countrywide project of "Linguistic Exchanges" (with focus on language contacts) has not yet reached its goal, despite the increase in funds allocated to these programmes. The federal authorities, the cantons and the organisation in charge of the co-ordination continue to explore methods which provide more efficiency and envisage presenting the results in the next periodical report.

28. During the on-the-spot visit, the Committee of Experts was informed that the associations and projects developing and promoting bilingualism do not get support from cantonal authorities in bilingual cantons (Bern/Berne, Valais/Wallis). Teaching staff as well as staff of health care institutions in bilingual areas (Fribourg/Freiburg, Biel/Bienne) are also often reluctant to use the language in local minority situations. Post offices in the city of Fribourg/Freiburg use almost exclusively French.

29. According to the sixth periodical report, the cantons of Graubünden/Grischun/Grigioni and Ticino as well as the organisations for language promotion and cultural and media institutions of both cantons founded a "Forum per l'italiano in Svizzera"³ in November 2012. Its activities are language promotion and coordination at federal level.

30. According to the "Message about the encouragement of the culture" (adopted in 2014 for the period 2016-2020), quoted in the sixth periodical report, the cultural policy of the federal authorities has set the following linguistic goals: the general improvement of the legal and administrative situation of Italian (especially outside the Italian-speaking part of Switzerland), the increase of support to communities of Swiss Travellers (including speakers of Yenish) as a cultural minority, the continued support for language exchanges as well as the increase of support for the translations between national languages.

Romansh

31. Romansh courses and activities are offered for pre-school and school children in Zürich, Basel and Luzern, based on the model of heritage language education, in idioms and in Rumantsch Grischun.

Yenish

32. In the fifth evaluation report, representatives of the Yenish-speakers had informed the Committee of Experts that the financial support for the umbrella association had decreased in the previous years by 34% and that only a very small amount (5,000 CHF, approximately 4,100 EUR) was foreseen for language related

³ <http://www.forumperlitalianoinsvizzera.ch>

activities. The Committee of Experts asked the Swiss authorities to clarify this issue and provide information in respect to this in the next periodical report.

33. According to the sixth periodical report, the representatives of the Yenish presented a petition to the federal government in 2014, requesting more stopover facilities, improvement of their situation and more respect for their minority. The Swiss government recognised the necessity to improve the living conditions of the communities of Swiss Travellers, including the number of stopovers, but also the access to education in/of Yenish and reinforcement of the Yenish culture.

34. During the on-the-spot visit, the Committee of Experts was informed by the representatives of the Yenish that their goal with the 2014 petition included the recognition of their community as a national group (nationale Volksgruppe). According to the data provided by the speakers, there are a total of 40,000 Yenish in Switzerland. Out of them, between 2,000 and 3,000 lead a traveller lifestyle. The representatives of the Yenish mentioned that the financial support that their community received from the Swiss authorities varied strongly in the last two years, with a decrease of 20% from 2014 to 2015 and an increase of 10% one year later.

35. The Committee of Experts asks the Swiss authorities to provide information on further measures and developments with respect to Yenish and their speakers in the next periodical report.

German (Municipality of Bosco-Gurin, Canton of Ticino)

36. In the fifth evaluation report, the Committee of Experts encouraged the competent authorities to adopt a structured approach for the protection and promotion of German in Bosco-Gurin. In particular, the Committee of Experts recommended that the cantonal authorities should consider the adoption of a legal text recognising and regulating the official use of German in the municipality of Bosco-Gurin in public life, including in the fields of culture, education and administration, in accordance with Article 7.1-4 of the Charter, and provide for adequate financial subsidies.

37. The Walserhaus Gurin association informed the Committee of Experts that the municipality of Bosco-Gurin intends to create conditions facilitating the return of a number of former inhabitants to Bosco-Gurin. This shall create an opportunity to re-establish the local school, namely a bilingual school (Italian-German), which would also offer lessons in the local Walser German dialect. The implementation of this plan requires support from the cantonal authorities, especially regarding financial and regulatory aspects. In the sixth periodical report, the cantonal authorities confirm that positive economic developments could reverse the language decline. However, no concrete steps have been taken by the authorities.

38. According to the sixth periodical report, the relevant cantonal department continues to support the Walserhaus Gurin association during the period 2015-2018 and is also ready to support new cultural initiatives promoting German language and culture.

39. The Committee of Experts has been informed by the speakers during the sixth monitoring cycle that, although the majority of the inhabitants of the municipality is still German-speaking, the common primary school in the neighbouring municipality Cevio has stopped the weekly two hours of teaching of German, considered by the Committee of Experts during the previous monitoring cycles as insufficient.

40. According to the information received from the speakers, awareness-raising is needed among the local families in order to encourage the transmission of the language to the younger generations.

41. The Committee of Experts notes that the cantonal authorities did not support any specific new project. They continue to limit their support to the Walserhaus Gurin association and to rely on project applications. However, the Charter requires that the authorities adopt a structured approach and, on their initiative, take measures to promote minority languages.

German (Municipality of Ederswiler, Canton of Jura)

42. In the fifth evaluation report, the Committee of Experts noted that the cantonal authorities of Jura still applied mainly informal measures responding to ad-hoc requests from the municipality of Ederswiler (91% German-speaking) or to difficulties encountered. For example, German translations of administrative documents were provided only if the municipal authority had problems in dealing with the French version of the document.

43. The Committee of Experts considered that the specific situation of the municipality of Ederswiler required a structured policy by the Canton of Jura. The adoption of a specific legal text should be considered

to confirm the existing practice, in particular the status of German as the official language of the municipality, to regulate the use of German in relations of the inhabitants and the municipal authorities with the cantonal authorities and service providers, as well to provide adequate financial support.

44. According to the sixth periodical report, the canton of Jura provides, since 2013, a yearly allowance of 5,000 CHF for the municipality to cover the costs of translation of municipal regulations into German. The correspondence of the central administration of the canton with the municipality is conducted in German. Voting material (ballots and official information) is provided in German on request. Other cantonal offices are not obliged to translate their documents, information material and correspondence into German. All children attend schools in French in neighbouring municipalities.

45. However, also according to the sixth periodical report, the relevant cantonal service had to intervene to encourage some of the cantonal administration units to deal with the requests of citizens in German. Nevertheless, the Canton of Jura does not consider necessary the adoption of a “specific legal text” or new regulations on a “structured policy”, to be attached to the existing cantonal laws, namely the law on the use of French (adopted in November 2010).

46. In the sixth monitoring cycle, the Committee of Experts was informed by the municipality of Ederswiler about plans of the canton to merge the municipality with a number of neighbouring villages.

47. The Committee of Experts notes that the current improvements are based on informal ad hoc arrangements which do not sufficiently take into account the specific situation of this municipality. Only a solid regulatory basis, including a statute for the language, in line with the obligations under the Charter, would provide for a sustainable solution.

48. The Committee of Experts notes that a merge of the municipality of Ederswiler with neighbouring villages would constitute a danger in terms of further diluting the use of German in the municipality as well as in its communication with the cantonal authorities.

49. Therefore, the Committee of Experts considers that the specific situation of the municipality of Ederswiler requires a structured policy by the Canton of Jura. It urges the Swiss authorities to adopt a specific legal text to confirm the status of German as the official language of the municipality, to regulate the use of German in relations of the inhabitants and the municipal authorities with the cantonal authorities and service providers, as well to provide adequate financial support.

Bilingual cantons

50. In the fifth evaluation report, the Committee of Experts noted that there was a lack of structured approach with regard to the protection and promotion of German in the Canton of Fribourg/Freiburg in the municipalities where German is a minority language. The Committee of Experts encouraged the federal authorities to make use of the federal funds, in consultation with the canton concerned, in order to support a structured policy with respect to German in the above-mentioned canton.

51. In the fifth evaluation report, the Committee of Experts also referred to persisting problems linked to the use of the French language in the Canton of Bern/Berne.

52. In light of the information obtained during the sixth monitoring cycle (see paragraphs 21 to 23), the Committee of Experts notes that, although funding is available at federal level, it is converted into financial support for speakers' associations only partly in the Cantons of Bern/Berne and Fribourg/Freiburg. The Committee of Experts encourages the federal authorities, in consultation with the cantons concerned, to coordinate their financial and legislative measures and efforts in order to support a structured policy with respect to German and French in the above-mentioned cantons.

d. the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;

Italian

53. In the fifth evaluation report, the Committee of Experts asked the Swiss authorities to provide further information about the setting-up of a post of Italian-speaking media correspondent in Chur with a view to increasing media reporting about Graubünden/Grischun/Grigioni cantonal topics in Italian.

54. According to the sixth periodical report, such a position has not been created. However, the federal authorities are negotiating with the cantonal authorities of Graubünden/Grischun/Grigioni about the inclusion of the position in the framework of the 2016-2020 funding contract of the canton by the federation.

55. During the on-the-spot visit, the Committee of Experts was informed by the representatives of the speakers that a resolution by the federal parliament provided for a recent government decision setting up this position in the framework of the Swiss Telegraphic Agency (SDA/ATS).

Yenish

56. In the fifth evaluation report, the Committee of Experts noted that the Internet could be an important tool in the promotion of the language and encouraged the authorities to explore this possibility. It further encouraged the authorities to examine, in co-operation with the speakers, how Yenish could be promoted in the media (at least on radio).

57. In the sixth periodical report, the Swiss authorities reiterated that there has been no demand from the Yenish speakers for radio programmes in Yenish. During the on-the-spot visit, the Committee of Experts was informed by the representatives of the Yenish speakers that there are attempts to create chat rooms in Yenish, using social media.

Bilingual cantons

58. In the fifth evaluation report, the Committee of Experts noted that the difficult situation of a number of speakers communicating in French with the institutions of the Canton of Bern/Berne was due to a varying distribution of French-speaking civil servants at the different levels of administration in the canton.

59. According to the sixth periodical report, the Canton of Bern/Berne has adopted a project "Statu quo+ – Development of the specific status of the Jura Bernois and of the bilingualism in the canton" in order to include and recruit speakers of French for the cantonal administration and other positions where a knowledge of French is needed.

60. During the on-the-spot visit, however, the Committee of Experts was informed by the speakers that problems persist in vocational training and health care institutions in bilingual areas (Fribourg/Freiburg, Biel/Bienne) as staff often have insufficient competencies in the minority language.

61. The Committee of Experts encourages the Swiss authorities, in consultation with the cantons concerned, to co-ordinate their financial and legislative measures and efforts in order to support a targeted policy in education and training of staff – teachers and health care personnel – with respect to German and French in the above-mentioned cantons.

e. the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;

62. During the on-the-spot visit, the Committee of Experts was informed by the speakers that the associations active in the bilingual cantons promote bilingualism and multilingualism in a number of ways, such as the celebration of Bilingualism Day, multilingual theatre plays, multilingual games and contests, the award of prizes for bilingualism, etc.

63. The Canton of Bern/Berne plans to develop the particular status of the French-speaking Jura Bernois and the reinforcement of bilingualism in the cantonal administration. The cantonal Chancellery has been tasked with planning the creation of a permanent commission on bilingualism.⁴

64. The Committee of Experts commends the associations concerned for the intensity, quality and efficiency of their commitment in the implementation of this undertaking. It invites the Swiss authorities to give substantial administrative and financial support to associations promoting bilingualism and multilingualism in the bilingual and trilingual cantons.

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

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65. In the fifth evaluation report, the Committee of Experts noted that the legal framework, new at the time of the fifth monitoring cycle, setting up the Research Centre on Multilingualism had as its objective to create a network of scientific institutions active in the field of multilingualism and to set up a documentation centre.

66. According to the sixth periodical report, the Research Centre on Multilingualism has finished its first research programme of 2012-2014, having implemented 15 projects in the fields, *inter alia*, of education and of public administration, and including the presence of speakers of minority languages in the federal administration.

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.

67. According to the fifth periodical report, the Swiss Parliament adopted, in autumn 2011, the Message on Culture 2012-2015, which sets as objectives, *inter alia*, the promotion of cultural diversity and exchanges.

68. During the on-the-spot visit, the Committee of Experts was informed by the federal authorities that their goals for the 2016-2020 period included the continued support for language exchanges between schools. The federal government plans to set up, in 2017, a new national agency for the promotion and practical organisation of language exchanges.

Paragraph 5

The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

69. In its assessment of the situation of Yenish vis-à-vis Article 7 paragraphs 1-4 of the Charter, the Committee of Experts has kept in mind that those principles should be applied *mutatis mutandis*.

3.2. The evaluation in respect of Part III of the Charter

3.2.1. Preliminary remarks on the approach of the Committee of Experts in respect of Part III

70. The languages covered by Part III of the Charter are Romansh and, in the Cantons of Graubünden/Grischun/Grigioni and Ticino, Italian.

71. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in its previous reports and for which it did not receive any new elements requiring a revised assessment. It reserves, however, the right to evaluate the situation again at a later stage.

72. For Romansh, these provisions are the following:

- Articles 8.1.a.iv; c.iii; d.iii; e.ii; f.iii; g; i
- Articles 9.1.a.iii; b.iii; 9.2.a
- Articles 10.1.a.i, c; 2.a, b, c, d, e, f; g; 3.b; 4.c; 5
- Article 11.1.a.iii; b.i; c.ii; e.i; f.i; 3
- Articles 12.1.a; b; c; e; f; g; h; 2; 3
- Articles 13.1.d; 2.b
- Article 14.a; b

73. For Italian in the Canton of Graubünden/Grischun/Grigioni, these provisions are the following:

- Articles 8.1.a.i; b.i; c.i; d.i; e.ii; f.i; g; h; i
- Articles 9.1.a.i, a.ii, a.iii; b.i, b.ii, b.iii; c.i; c.ii; d; 2.a; 3
- Articles 10.1.b, c; 2.a, b, c, d, e, f, g; 3.a; b; 4.a, b, c; 5
- Articles 11.1.a.i; e.i; g; 2; 3
- Articles 12.1.a; b; c; d; e; f; g; h; 2; 3;
- Article 13.1.d;
- Articles 14.a; b

74. For Italian in the Canton of Ticino, these provisions are the following:

- Articles 8.1.a.i; b.i; c.i; d.i; e.ii; f.i; g; h; i
- Articles 9.1.a.i; a.ii; a.iii; b.i; b.ii; b.iii; c.i; c.ii; d; 2.a; 3
- Articles 10.1.a.i; b; c; 2.a; b; c; d; e; f; g; 3.a; b; 4.a; b; c; 5
- Articles 11.1.a.i; e.i; g; 2; 3
- Articles 12.1.a; b; c; d; e; f; g; h; 2; 3
- Articles 13.1.d; 2.b
- Articles 14.a; b

3.2.2. Romansh

Article 8 - Education

Preliminary remarks on the re-introduction of "idioms" in schools

75. In the fifth evaluation report, the Committee of Experts looked forward to receiving information on the development of the co-existence model adopted in 2011, allowing for the teaching of idioms and Rumantsch Grischun as a sixth form of expression. The committee underlined that a structured form of dialogue would be most welcome in order to make the co-existence model work in practice.

76. According to the sixth periodical report, "idioms" – the five written varieties of Romansh – were re-introduced in schools instead of Rumantsch Grischun mainly at the end of the previous monitoring cycle, immediately after the liberalisation decision of the cantonal parliament. In three out of the five idiom areas, primary and secondary schools re-introduced their respective idioms as the language of instruction. Rumantsch Grischun remained the language of education in the few primary schools of the two other idiom areas and in the bilingual schools in Chur. Rumantsch Grischun is still part of the curriculum, but only from the first year of secondary school and not the first year of primary school as was previously the case.

77. The use of the five written varieties of Romansh in schools, together with Rumantsch Grischun according to an established scheme, shifted the discussion from the field of the municipal language policy to didactics. Positions are still polarised between municipalities, associations and groups of speakers with respect to the use of Rumantsch Grischun in education.

78. A new curriculum has been drawn up and adopted ("Lehrplan 21"), generating new discussions about the part assigned to Rumantsch Grischun and to the idioms in teaching materials.

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:

b. i. to make available primary education in the relevant regional or minority languages;

79. In the fifth evaluation report, the committee considered this undertaking fulfilled and asked the competent Swiss authorities to provide, in the next periodical report, further information about the impact of *Frühenglisch* (English from an early age, introduced from 2012 at the level of 5th grade) on the teaching of Romansh.

80. The teaching in Romansh in the traditional area is satisfactory and the Committee of Experts considers it still fulfilled. The sixth periodical report does not provide any information about the impact of *Frühenglisch*. During the sixth monitoring cycle, the Committee of Experts was informed by both authorities and speakers about concerns recently raised by another potential way of introducing the early teaching of English. Initiatives aim at making English the only foreign language in schools with German as the language of instruction, where currently Romansh or Italian are taught as second languages.

81. The decision of the Graubünden/Grischun/Grigioni cantonal parliament against the introduction of English as second language in primary schools has been recently appealed against and the cantonal administrative court ruled against the parliament decision. The case will be dealt with by the Federal Supreme Court. As far as the federal government is concerned, it reiterated in each case that multilingualism is an identity factor of Switzerland, the cantons being in charge of its implementation.

82. The Committee of Experts considers this undertaking fulfilled. It encourages the Swiss authorities to ensure that foreign language teaching is not to the detriment of the teaching of Romansh as a second language.

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

83. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled regarding primary education. The Committee of Experts was not in the position to conclude with respect to teacher training at secondary level. It encouraged the competent Swiss authorities to take positive measures to ensure secondary teacher training in Romansh.

84. According to the sixth periodical report, recent discussions challenged the upholding of specific departments of Romansh at both universities concerned (Fribourg/Freiburg and Zürich). The cantons of Fribourg/Freiburg and Graubünden/Grischun/Grigioni as well as Fribourg/Freiburg University and the University of Teacher Education of Graubünden/Grischun/Grigioni signed a contract for the long-term upholding of the department of Romansh at Fribourg/Freiburg University. This agreement aimed at the continuation of the offer at bachelor, master and doctorate level, as well as at the co-operation between Fribourg/Freiburg University and the University of Teacher Education of Graubünden/Grischun/Grigioni for basic level teacher training, continuing education, research and development.

85. According to the sixth periodical report, the continuing education programme for teachers from municipalities where Rumantsch Grischun is taught ended in 2014, after the re-introduction of the idioms in municipality schools in 2011-2012.

86. During the on-the-spot visit, the Committee of Experts was informed by the representatives of the speakers that there is a satisfying number of Romansh teachers except for at lower secondary school.

87. The Committee of Experts considers this undertaking fulfilled.

Article 9 - Judicial authorities

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

In criminal proceedings:

- a. ...
- ii. *to guarantee the accused the right to use his/her regional or minority language;*

In civil proceedings:

- b. ...
- ii. *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; - if necessary by the use of interpreters and translations;*

In proceedings before courts concerning administrative matters:

- c. ...
- ii. *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense;*

88. In the fifth evaluation report, the Committee of Experts did not receive any information regarding the use of Romansh in practice before local courts and was therefore not in a position to conclude and asked the Swiss authorities to provide concrete examples in the next periodical report.

89. In the sixth periodical report, the Swiss authorities quote examples from one bilingual region within the Canton of Graubünden/Grischun/Grigioni. According to these examples, most cases at court are introduced in German and the documents issued during the procedure are also drafted in German. The authorities explain this by quoting that the professionals of the courts have carried out their studies in German, the juridical terminology is more current in German than in Romansh, and the parties are frequently German-speaking citizens. However, a small number of cases is dealt in Romansh. The report stresses that the law provides for the freedom of choice of the language, and that the oral part of the interventions of the parties is more frequently in Romansh than the written one. As for the practice of language in front of notaries, the use of Romansh is frequent, including in the written part.

90. During the on-the-spot visit, the representatives of the cantonal authorities informed the Committee of Experts about linguistic works in order to set up juridical terminology in Romansh. This work receives support from the federal authorities.

91. The Committee of Experts considers these undertakings (a.ii; b.ii; c.ii) fulfilled.

Paragraph 3

The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

92. During the fifth monitoring cycle, the Committee of Experts was not informed by the Swiss authorities about which important national statutory texts were translated into Romansh. The Committee of Experts nevertheless considered this undertaking fulfilled and asked the Swiss authorities to provide detailed information in this regard in the next periodical report.

93. According to the sixth periodical report, the important juridical texts issued by the federal authorities are available in Romansh, for example: the federal constitution, the civil code, the penal code, the law on political rights, the law on transparency, the law on the languages and several other laws. The existing texts

are regularly updated and new texts are added at least two or three times yearly. The complete list of these texts may be found on www.admin.ch/ch/r/rs/rs.html⁵.

94. The Committee of Experts considers this undertaking fulfilled.

Article 10 - Administrative authorities and public services

State Administration

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:

- b. to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;*

95. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled with regard to cantonal level and was not in a position to conclude with regard to federal level.

96. According to the sixth periodical report, the federal parliament revised and modified, in 2012 and 2014, the laws on the statutes of multilingualism at federal level and reinforced the promotion of multilingual practice in the federal administration. These changes included the enhancement of the autonomy and the competences of the delegate for multilingualism in the federal administration (his/her backing for the federal government; his/her functions of inspection, co-ordination and evaluation as well as his/her competence for making recommendations). The revision of laws also aimed to improve the representation of the linguistic minorities, to reinforce the linguistic competencies of the staff/civil servants at federal level and to facilitate access to trainings in national languages.

97. During the on-the-spot visit, the representatives of the cantonal authorities informed the Committee of Experts about linguistic works in order to set up administrative terminology in Romansh. This work receives support from the federal authorities.

98. The Committee of Experts considers this undertaking fulfilled.

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:

- a. translation or interpretation as may be required;*

99. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled and urged the Swiss authorities to strengthen the cantonal translation service.

100. The sixth periodical report does not contain specific information about this issue. During the on-the-spot visit, the Committee of Experts did not receive any relevant information.

101. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and urges the Swiss authorities to strengthen the cantonal translation service. It also asks the authorities to provide the relevant information in the next periodical report.

⁵ N.B. This page is not working. The current address of the relevant webpage is <https://www.admin.ch/gov/rm/pagina-iniziala/dretg-federal/collecziun-sistemica.html>. The date of the last modification on this page is 17.04.2015.

3.2.3. Italian

Canton of Graubünden/Grischun/Grigioni

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. i. *to ensure that the administrative authorities use the regional or minority languages; or*

102. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled.

103. According to the information received from the representatives of the speakers, the knowledge of Italian of the staff in the administration of the canton is insufficient in a number of areas, *inter alia*, in the central administration of the canton and in the land registry. Furthermore, according to the representatives of the speakers, recruitment for posts in cantonal institutions is discriminatory against Italian speakers.

104. The Committee of Experts is not in a position to conclude on this undertaking and invites the cantonal authorities to provide the relevant information in the next periodical report.

Article 13 - Economic and social life

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:

...

- b *in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;*

105. In the fifth evaluation report, the Committee of Experts stated that it “must revise its former conclusion and considers this undertaking partly fulfilled”. It urged the cantonal authorities in Graubünden/Grischun/Grigioni to take the necessary measures to promote the use of Italian in institutions with cantonal mandates.

106. The sixth periodical report does not provide any relevant information to this undertaking.

107. According to the information received from the representatives of the speakers, the knowledge of Italian of the staff in cantonal institutions is insufficient in a number of areas, *inter alia*, in health care. The use of Italian is also missing from the written materials of some cantonal institutions, *inter alia*, from the webpage of the cantonal bank.

108. Furthermore, according to the representatives of associations promoting the use of Italian in Graubünden/Grischun/Grigioni, staff of cantonal economical as well as health and social care institutions has insufficient knowledge in Italian.

109. During the on-the-spot visit, representatives of the cantonal authorities highlighted that the canton has made efforts in order to recruit speakers of minority languages, including Italian, for institutions with cantonal mandates, even in such cases when the language criterion may hamper the valorisation of professional competencies.

110. The Committee of Experts considers the undertaking partly fulfilled and again urges the cantonal authorities in Graubünden/Grischun/Grigioni to take the necessary measures to promote the use of Italian in institutions with cantonal mandates.

Chapter 4 Findings of the Committee of Experts in the sixth monitoring cycle

- A. The Committee of Experts expresses its gratitude to the Swiss authorities for their exemplary and smooth co-operation in the sixth monitoring cycle, in particular with respect to the organisation of the on-the-spot visit. Furthermore, the Committee of Experts wishes to thank the Swiss authorities for having responded, in the periodical report, to the requests for information by the Committee of Experts. Switzerland has taken significant steps to implement most of the undertakings ratified, but Italian and Romansh still require additional support by the cantonal authorities.
- B. Romansh is one of the national languages and its position remains satisfactory. The written varieties – “idioms” – were re-introduced in schools. In most of the Romansh area primary education is given in the respective idiom, while even Rumantsch Grischun is maintained in some schools, especially at secondary level.
- C. All the undertakings are fulfilled for Italian in the Canton of Ticino. In the Canton of Graubünden/Grischun/Grigioni, most of the undertakings are also fulfilled. Nevertheless, the use of Italian by the staff in the administration as well as the public sector under cantonal control is insufficient in a number of areas.
- D. Support for new projects is necessary for the protection and promotion of German in Bosco-Gurin. The adoption is needed of both a legal text regulating the use of German in the municipality and a structured approach including the fields of culture, education and administration, in accordance with Article 7.1-4 of the Charter, and the authorities should provide for adequate financial subsidies.
- E. The specific situation of the municipality of Ederswiler requires a structured policy by the Canton of Jura. The adoption of a specific legal text should be considered to confirm the existing practice, in particular the status of German as the official language of the municipality.
- F. Franco-Provençal is spoken in three cantons. Courses on Franco-Provençal are offered and research is being done in several universities. There seems to be a general consensus in Swiss society that Franco-Provençal is a language in its own right which has been traditionally used in Switzerland, therefore Part II applies to it.

The Swiss government was invited to comment on the content of this report in accordance with Article 16.3 of the Charter. The comments received are attached in Appendix II.

On the basis of this report and its findings, the Committee of Experts submitted its proposals to the Committee of Ministers for recommendations to be addressed to Switzerland. At the same time, it emphasised the need for the Swiss authorities to take into account, in addition to these general recommendations, the more detailed observations contained in the body of the report.

At its 1273bis meeting on 14 December 2016, the Committee of Ministers adopted its Recommendation addressed to Switzerland, which is set out in Part B of this document.

Appendix I: Instrument of Ratification

SWITZERLAND

Declaration contained in the instrument of ratification deposited on 23 December 1997 – Or. Fr.

The Swiss Federal Council declares, in accordance with Article 3, paragraph 1, of the Charter, that in Switzerland Romansh and Italian are the less widely used official languages to which the following paragraphs chosen in accordance with Article 2, paragraph 2, of the Charter, shall apply:

a. Romansh

Article 8: (education)

Paragraph 1, sub-paragraphs a (iv), b (i), c (iii), d (iii), e (ii), f (iii), g, h, i

Article 9 (judicial authorities)

Paragraph 1, sub-paragraphs a (ii), a (iii), b (ii), b (iii), c (ii)

Paragraph 2, sub-paragraph a

Paragraph 3

Article 10 (administrative authorities and public services)

Paragraph 1, sub-paragraphs a (i), b, c

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g

Paragraph 3, sub-paragraph b

Paragraph 4, sub-paragraphs a, c

Paragraph 5

Article 11 (media)

Paragraph 1, sub-paragraphs a (iii), b (i), c (ii), e (i), f (i)

Paragraph 3

Article 12 (cultural activities and facilities)

Paragraph 1, sub-paragraphs a, b, c, e, f, g, h

Paragraph 2

Paragraph 3

Article 13 (economic and social life)

Paragraph 1, sub-paragraph d

Paragraph 2, sub-paragraph b

Article 14 (transfrontier exchanges)

Sub-paragraph a

Sub-paragraph b

b. Italian

Article 8 (education)

Paragraph 1, sub-paragraphs a (i), a (iv), b (i), c (i), c (ii), d (i), d (iii), e (ii), f (i), f (iii), g, h, i

Article 9 (judicial authorities)

Paragraph 1, sub-paragraphs a (i), a (ii), a (iii), b (i), b (ii), b (iii), c (i), c (ii), d

Paragraph 2, sub-paragraph a

Paragraph 3

Article 10 (administrative authorities and public services)

Paragraph 1, sub-paragraphs a (i), b, c

Paragraph 2, sub-paragraphs a, b, c, d, e, f, g

Paragraph 3, sub-paragraphs a, b

Paragraph 4, sub-paragraphs a, b, c

Paragraph 5

Article 11 (media)

Paragraph 1, sub-paragraphs a (i), e (i), g

Paragraph 2

Paragraph 3

Article 12 (cultural activities and facilities)

Paragraph 1, sub-paragraphs a, b, c, d, e, f, g, h

Paragraph 2

Paragraph 3

Article 13 (economic and social life)

Paragraph 1, sub-paragraph d

Paragraph 2, sub-paragraph b

Article 14 (transfrontier exchanges)

Sub-paragraph a

Sub-paragraph b.

Period covered: 01/04/98 –**The preceding statement concerns Article(s): 10, 11, 12, 13, 14, 2, 3, 8, 9**

Appendix II: Comments from the Swiss authorities

The Swiss authorities have studied the observations made by the Committee of Experts of the Charter. The points raised will be taken into consideration for the current three-year period. Targeted efforts will be made to take into account the Committee of Experts' recommendations, and these efforts will be described and documented in the next periodical report by Switzerland.

The Swiss authorities would like to clarify some points included in the report.

- §9 It is inaccurate to state that “The use of Franco-Provençal has been included in the list of Living Traditions”. This should be clarified, insofar as the list of living traditions, both for the canton of Fribourg and at Confederation level, uses the phrase “Theatre in Franco-Provençal dialect”, and therefore relates to a specific usage, not a general one as a language spoken in everyday life. We accordingly request that you amend the section in the following manner: The use of theatre in Franco-Provençal has been included in the list of Living Traditions in the cantons of Valais/Wallis, Fribourg/Freiburg and Vaud as well as in the Swiss national list of Living Traditions”.
- §24 In order to clarify this section and to be coherent with the revision of the Languages Ordinance and with the new objectives outlined by the Federal Council in terms of promoting plurilingualism within the federal administration, we request that you amend the section in the following manner: “According to the sixth periodical report, the position of delegate for multilingualism in the Federal Administration has been created. It is part of the General Secretariat of the Federal Department of Finances. The position of delegate has been provided for by the Federal Law on National Languages and Understanding between the Language Communities (hereafter referred to as the Federal Language Law) which entered into force on 1 January 2010. The Languages Ordinance (LangO) was amended to strengthen plurilingualism policy and came into force on 1 October 2014. Amongst other things, it establishes target values for the representation of linguistic communities in the Federal Administration, in the departments and in the administrative units (Art. 7) as well as the language requirements (Art. 8). Thus, the Government appointed the Federal Delegate for Plurilingualism. Her main tasks are to intervene in key processes to promote plurilingualism, coordinate and evaluate the implementation of strategic objectives, raise awareness and keep the Federal Administration and the population informed, as well as foster collaboration and exchange of best practices on a national and international level”.
- §31 Since 2006, the Confederation’s support for the Travellers' umbrella organisation (Radgenossenschaft der Landstrasse) has amounted to approximately CHF 250 000. An additional CHF 5000 is set aside annually for daily allowances, amounting to 350 francs for travellers present in international organisations, particularly the Council of Europe. Travellers also receive ad hoc support for projects promoting and protecting the Yenish language. This financial support is not included in the sum of CHF 250 000 but is additional.
- §37 To be more accurate, we request that you amend the section in the following manner: “According to the sixth periodical report, the relevant cantonal department continues to support the Walserhaus Gurin association during the period 2015-2018 and is also ready to support new cultural initiatives promoting German language local Walser German dialect and culture”.
- §51 The law and the Languages Ordinance already form a strategic base for guaranteeing structured action to promote bilingualism in plurilingual cantons. Support for plurilingual cantons is arranged through agreements between the Confederation and the individual cantons. Its aim is to promote bi/plurilingualism within the cantonal authorities and for education purposes; it is not provided to support municipalities or cantonal organisations of minority language speakers.
- §59 In order to avoid confusion with the measures taken by the State Secretariat for Education, Research and Innovation (SEFRI) in the field of vocational training, we request that you amend the section in the following manner: *“During the on-the-spot visit, however, the Committee of Experts was informed by the speakers that problems persist in vocational language training and health care institutions in bilingual areas (Fribourg/Freiburg, Biel/Bienne) as staff often have insufficient competencies in the minority language”.*
- §92 We request that the list of texts translated into Romansh be supplemented by the *Council of Europe Framework Convention for the Protection of National Minorities*. The translation of the Framework Convention was carried out in 2014 by the Swiss Federal Chancellery’s linguistic services. This will serve to raise awareness of the Framework Convention among the public and in particular among the Romansh minority.

B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Switzerland

Recommendation CM/RecChL(2016)6 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Switzerland

*(Adopted by the Committee of Ministers on 14 December 2016
at the 1273bis meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Switzerland on 23 December 1997;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Switzerland;

Having taken note of the comments made by the Swiss authorities on the contents of the Committee of Experts' report;

Bearing in mind that this evaluation is based on information submitted by Switzerland in its sixth periodical report, supplementary information provided by the Swiss authorities, information submitted by bodies and associations legally established in Switzerland and the information obtained by the Committee of Experts during its on-the-spot visit,

Recommends that the authorities of Switzerland take account of all the observations and recommendations of the Committee of Experts and, as a matter of priority:

1. continue promoting the use of Italian in cantonal administration and in the public sector under cantonal control in Graubünden/Grischun/Grigioni;
2. take measures to ensure that mergers of municipalities in Graubünden/Grischun/Grigioni do not hamper the use of Romansh;
3. recognise Franco-Provençal as a regional or minority language traditionally used in Switzerland and apply the provisions of Part II to it, in cooperation with the speakers.