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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**Report of the Committee of Experts  
presented to the Committee of Ministers of the Council of Europe  
in accordance with Article 16 of the Charter**

**Sixth Report**

**THE NETHERLANDS**

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making recommendations for improving its 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. A confidential dialogue may, at this stage, be requested by this State Party. The final evaluation report is made public, together with the comments, if any, which the authorities of the State Party may have made. This document is then transmitted to the Committee of Ministers for the adoption of its recommendations to the State Party, on the basis of the proposals for recommendations contained in the evaluation report.

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## Executive Summary

The European Charter for Regional or Minority Languages entered into force in the Kingdom of the Netherlands in 1998 and applies to the following languages: Frisian, Limburgish, Low Saxon, Romanes and Yiddish. Frisian is the only language protected by Part III of the Charter.

During the sixth monitoring cycle, in response to the request for information by the Committee of Experts as to whether Papiamentu and Bildts should be protected by the Charter, the authorities of the Netherlands provided information on specific national rules for the use of these two languages in the territories concerned and their decisions not to include them on the list of the languages covered by the Charter. During the on-the-spot visit, speakers of Papiamentu and Bildts reiterated their wish for inclusion of their languages under the Charter with further arguments.

The central authorities of the Netherlands have concluded covenants with territorial authorities in the areas where Frisian, Limburgish and Low Saxon are used. They have delegated most of their responsibility regarding the implementation of the Charter to provincial level. Consequently, the central authorities have limited their positive and resolute action and reserved the financing of the promotion and protection of the three regional or minority languages to selected territorial areas and domains of public life.

The non-territorial languages Romanes and Yiddish remain in the private sphere. Consultations with the speakers of Romanes and Yiddish differ from those with the speakers of the two other languages protected exclusively by Part II of the Charter i.e. Limburgish and Low Saxon. Financial support is, however, given to schools teaching Yiddish as well as to selected projects aiming to support Romanes.

In practice, the only language for which central government and provincial authorities have a joint responsibility is Frisian. Since 2017, the authorities of Fryslân province play a leading role in formulating a long-term vision for Frisian language policies. The language enjoys co-official status in the province. Shortcomings in teaching Frisian at all levels of education as well as in using Frisian in courts and in contacts with law enforcement services can, however, be noted.

The school curricula in the Netherlands give a lot of leeway to schools to use regional or minority languages as a medium of instruction or as a subject. All protected languages can be taught, upon decision of individual schools. Although the teaching of Frisian is obligatory in Fryslân, schools can still ask for full or partial exemptions from this obligation.

The Media Act makes state authorities not responsible for media programming, which means that broadcasters are free to decide on the use of regional or minority languages. However, many regional media regularly offer programmes in regional or minority languages. Omrop Fryslân, a regional broadcaster with national and international coverage, has its own channels funded by the authorities.

This sixth evaluation report by the Committee of Experts is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to the Netherlands in October 2019.

## Chapter 1 The situation of the regional or minority languages in the Netherlands – Recent developments and trends

1. The European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) is a treaty of the Council of Europe putting obligations on its States Parties to protect and promote the country’s traditional minority languages in all fields of public life: education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, and transfrontier exchanges. The Kingdom of the Netherlands signed the Charter on 5 November 1992 and ratified it on 2 May 1996 for the Kingdom in Europe. The Charter entered into force for the Netherlands on 1 March 1998 and applies, according to the Instrument of the Charter’s Acceptance by the Netherlands, to the following languages: Frisian, Limburgish, Low Saxon, Romanes and Yiddish. The Limburgish, Low Saxon, and two non-territorial languages Romanes and Yiddish are covered under Part II (Article 7) only, whereas the Frisian language receives protection in the province of Fryslân under both Part II and Part III (Articles 8-14).

2. Article 15.1 of the Charter requires States Parties to submit three-yearly reports about the implementation of the Charter<sup>1</sup>. The authorities of the Netherlands submitted their sixth periodical report on 18 June 2019. The present sixth evaluation report of the Committee of Experts is based on the information provided in the periodical report and statements made by representatives of the speakers of the regional or minority languages during the on-the-spot visit on 15-18 October 2019 as well as written statements submitted by associations representing the speakers of Frisian, Limburgish, Low Saxon, and Romanes pursuant to Article 16.2 of the Charter. The Committee of Experts would like to extend its thanks to the authorities of the Netherlands for the excellent co-operation during the on-the-spot visit.

3. Chapter 1 of this evaluation report focuses on the general developments and trends regarding the regional or minority languages in the Netherlands and the situation of these languages. It examines the measures taken by the authorities of the Netherlands to respond to the recommendations made in 2016 by the Committee of Experts and the Committee of Ministers at the end of the fifth monitoring cycle. It also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each undertaking in respect of the given language as well as the recommendations addressed to the authorities of the Netherlands. On the basis of its evaluation, the Committee of Experts proposes, in Chapter 3, recommendations to the Committee of Ministers to be addressed to the Government of the Netherlands, as provided in Article 16.4 of the Charter.

4. As far as the detailed legal examination of each undertaking is concerned, the Committee of Experts refers to its **fifth evaluation report on the application of the Charter in the Netherlands (ECRML (2016) 4<sup>2</sup>)**.

5. This report is based on the political and legal situation prevailing at the time of the Committee of Experts’ on-the-spot visit to the Netherlands in October 2019. This evaluation report was adopted by the Committee of Experts on 5 November 2019. The Netherlands having requested confidential dialogue with the Committee of Experts, the evaluation report became final on 25 May 2020. It was made public on 21 July 2020.

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<sup>1</sup> Since 1 July 2019, new rules apply according to the Committee of Ministers Decisions adopted on 28 November 2018 on the strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages, whereby States Parties submit their periodical report every five years (instead of every three years) and information about the implementation of the recommendations identified by the Committee of Experts in its evaluation report as being for immediate action every two and a half years.

<sup>2</sup>Application of the Charter in the Netherlands, [5th 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 the Netherlands (adopted on 14 December 2016)

## 1.1 General developments in policies, legislation and practice concerning the regional or minority languages in the Netherlands

### *Legislation, policies and practice at the national and provincial levels*

6. The Charter requires its States Parties to recognise regional or minority languages as an expression of cultural wealth (Article 7.1.a) and stresses the need for resolute action to promote them (Article 7.1.c). As the Committee of Experts has pointed out on different occasions, Article 7.1.a aims at an explicit recognition and reference to the given language in the ratification instrument and/or national legislation while resolute action comprises *inter alia* the adoption of specific legislation on the promotion of that language and its implementation<sup>3</sup>.

7. In their sixth periodical report, the central authorities of the Netherlands strongly highlight that policy relating to regional or minority languages is primarily the responsibility of provincial authorities. Consequently, central and provincial authorities have concluded non-legally binding memoranda of understanding or administrative agreements, called covenants, on the use of regional or minority languages in the Netherlands. The newest *Bestjoersôfspraak Fryske Taal en Kultuer 2019-2023* (Administrative Agreement on the Frisian Language and Culture 2019-2023; BFTK) entered into force on 1 January 2019, and the agreement on Low Saxon was signed in the form of a covenant, on 10 October 2018. A similar agreement has been prepared for Limburgish, ready for signature on 6 November 2019. Covenants between central authorities and authorities responsible for the protection of Limburgish and Low Saxon respond to a growing political relevance at provincial level. In general terms, covenants aim to guarantee dialogue and collaboration between central and provincial authorities; they include programmes of activities conducive to the achievement of objectives that have been jointly agreed by all parties concerned.

8. The only language for which central government and provincial authorities have a joint responsibility is Frisian. The specific position of Frisian is stated in section 2a of the Use of Frisian Act, which entered into force on 1 January 2014. This Act obliges the parties to periodically enter into agreements (covenants) between the ministers respectively responsible for the Interior and Kingdom Relations, Justice and Security, Education, Culture and Science, Primary and Secondary Education and Media, and the authorities of the province of Fryslân, represented in this matter by the King's Commissioner in Fryslân. The latest agreement concluded on the Frisian language and culture mentioned above and hereafter called BFTK contains a broad range of provisions which aim to guarantee the use of Frisian in all domains covered by Part III of the Charter. The 2019-2023 BFTK states that, following a recommendation by the Committee of Experts, the Province of Fryslân will commission a study on the feasibility of converting the Use of Frisian Act into a framework law, which would not be limited to administrative and legal proceedings, but could be extended to all domains.

9. In the previous monitoring cycle, **the Committee of Experts and the Committee of Ministers of the Council of Europe encouraged the authorities of the Netherlands to establish a structured policy for the implementation of the Charter regarding all regional or minority languages, in close co-operation with the speakers.** Following these recommendations, the Ministry of the Interior and Kingdom Relations, in charge of co-ordinating policies on minorities, organised, for the first time, regional languages round tables (*taaltafels*). In addition, the first Regional Language Symposium – *Spreek maar!*<sup>4</sup>, organised on 7 November 2017 in Deventer (province of Overijssel), was an occasion to discuss the situation of three regional languages in the Netherlands i.e. Frisian, Limburgish and Low Saxon. Ninety participants representing provincial authorities, academia and regional NGOs called for a practical approach with a view to promoting regional languages rather than imposing legal obligations. It should be noted, however, that very few municipal authorities were present at the 2017 Language Symposium - five out of 142 invited.

<sup>3</sup> See e.g. 1st Report of the Committee of Experts on Croatia, ECRML(2001)2, para. 30; 1st Report of the Committee of Experts on Norway, ECRML(2001)6, para. 27-29; 2<sup>nd</sup> Report of the Committee of Experts on Germany, ECRML(2006)1, para. 24; 2<sup>nd</sup> Report of the Committee of Experts on Sweden, ECRML(2006)4, para. 28; 5<sup>th</sup> Report of the Committee of Experts on Hungary, CM(2013)81, para. 31; 4th Report of the Committee of Experts on Slovenia, ECRML(2014)5, para. 36; 3rd Report of the Committee of Experts on Serbia, ECRML(2016)1, and Reports by the Committee of Experts on the Application of the Charter in the United Kingdom, ECRML(2004) 1, paragraphs 96, 368, 369; ECRML (2007) 2, paragraphs 47-50; ECRML (2010) 4, paragraph 50.

<sup>4</sup> 2<sup>nd</sup> Regional Language Symposium, Venlo (province of Limburg), November 2019.

Consequently, the Committee of Experts asks the central authorities to raise awareness at municipal level for the benefit of all regional or minority languages covered by the Charter. Furthermore, the symposium neither involved speakers, nor relevant representatives or organisations of two other languages protected under the Charter, Romanes and Yiddish. Although the Committee of Experts welcomes the positive developments in the policy relating to regional or minority languages in the Netherlands, it asks for a similar approach to non-territorial languages by all relevant authorities.

10. In its fifth evaluation report, the Committee of Experts asked the authorities of the Netherlands to clarify if Papiamentu should be covered by Part II of the Charter, in accordance with Article 2.1 of the Charter. During the present monitoring cycle, the State Party has underlined that, pursuant to its instrument of acceptance, the Kingdom of the Netherlands accepts the Charter for the Kingdom in Europe. As the island of Bonaire is not part of the Kingdom in Europe, the Charter does not apply to the island<sup>5</sup>. However, during its on-the-spot visit, the Committee of Experts was informed that Papiamentu has a traditional presence in the Netherlands as it has been spoken since the 18<sup>th</sup> century in the Continental European part of the Kingdom of the Netherlands. Thus, the Committee of Experts encourages the authorities of the Netherlands to clarify the traditional presence of Papiamentu in the European part of the Netherlands in the next monitoring round.

11. In its previous evaluation report, the Committee of Experts also encouraged the government to clarify the situation of the Bildts language. After consultation with *Taalunie*, the Dutch Language Union, the central authorities decided not to recognise Bildts as a separate language; they do, nevertheless, acknowledge concerns of Bildts speakers and financially support the preservation and promotion of Bildts. The linguistic situation of Bildts offers various interpretations. It can be seen as a variety of Dutch, a variety of Frisian, a mixed language of Dutch and Frisian, and, as it has elements which can be traced back neither to Dutch nor to Frisian, as a language of its own. However, as Bildts is traditionally present on the territory of the Netherlands and used by people who have organised themselves on the basis of Bildts as their language of identity, the Committee of Experts asks the government of the Netherlands to reconsider its decision in co-operation with the speakers.

### ***Use of the regional or minority languages in education***

12. In its fifth evaluation report, the Committee of Experts underlined that a national policy was needed for all languages, since some domains, such as education, fall into the competence of the national authorities. Concerning Limburgish and Low Saxon for example, it encouraged the authorities of the Netherlands to upgrade the teaching of these two regional, territorial languages to the status of regular school subjects and to intensify their teaching, especially in pre-school and secondary education. In response to those and other recommendations concerning the use of all regional or minority languages in education, the authorities provided information stating that, according to the Primary Education Act and the Secondary Education Act, regional or minority languages are taught depending on the speakers' interests and the needs of individual schools. Thus, according to the authorities of the Netherlands, compulsory teaching of regional or minority languages as school subjects would not be in line with educational policy that attaches a high importance to decentralisation and to the transfer of competences to regional authorities. Moreover, pre-school level education is dominated by private sector providers. Nevertheless, the Committee of Experts would like to remind the authorities of the duty to support the offer of regional and minority languages.

13. According to the sixth periodical report, a comprehensive review of the primary and secondary education curricula is presently ongoing at national level. The objective is to only prescribe general attainment targets and not a state curriculum. In the view of the Netherlands authorities, schools have more scope to make choices about what and how they teach their pupils. Schools are free to substantiate the attainment targets as they wish and may focus on the expectations of the communities in which they educate children and young people. In other terms, education legislation gives all schools the freedom to

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<sup>5</sup> For the list of the Council of Europe treaties concerned by the constitutional reform of 2010 in the Kingdom of the Netherlands see under 'Netherlands' on the webpage [Reservations and Declarations for Treaty No.074 - European Convention on State Immunity](#).

provide teaching in or of the regional or minority language, territorial or non-territorial, in the teaching time left over and above the core curriculum.

14. Furthermore, the Committee of Experts was informed that covenants between central authorities and provincial authorities on Frisian, Limburgish and Low Saxon determine the use of these three languages in education. Provincial authorities pay due attention to the availability of teaching materials but within the limits of existing demand. In all regions concerned, there is an interest in identity issues to which regional languages are closely linked. Provincial authorities tend to promote bilingualism (Dutch, Frisian) in education, or even trilingualism (Dutch, English, Frisian) in the province of Fryslân, especially for the native speakers of regional or minority languages. The citizenship education is a statutory obligation for all schools; it aims to familiarise students with the idea of a pluralistic society and teach them different backgrounds and cultures of their peers.

15. It is worth noting that since the previous monitoring cycle, more people have attended regional language classes, and more educational material, including in digital form, has been available. For example, there have been more participants in some parts of the Netherlands (Ooststellingwerf and Weststellingwerf) in Low Saxon classes, and teaching material contributing to the learning of local history and geography by various means was accessible in five dialects of Low Saxon. For Frisian, the evaluation of the BFTK, in collaboration with the province of Fryslân, in 2016, led to a generally positive assessment in the field of education as consistent with the Frisian Language Plan (*'Taalplan Frysk'*) set up by the provincial authorities. The available information indicates a need for a clearer definition of the role of the Education Inspectorate with regard to regional and minority languages at schools. This view was shared by the Frisian authorities. In secondary vocational education, languages are only taken into consideration seriously as subjects when industry and the authorities indicate that they are important. Nevertheless, the attainment targets for all regional or minority languages are not clear to the Committee of Experts, besides mandatory teaching of Frisian as a subject in primary and secondary education (for more detail see below paragraphs 37-41).

#### ***Use of the regional or minority languages by judicial authorities***

16. Only Frisian as a Part III language can be used before courts in judicial districts where this language is co-official e.g. in the province of Fryslân. Consequently, relevant information appears below under *"1.2 The situation of the individual regional or minority languages in the Netherlands – Frisian"*.

#### ***Use of the regional or minority languages by administrative authorities***

17. Only Frisian as a Part III language and co-official language in the province of Fryslân can be formally used in contacts with administrative authorities. Consequently, relevant information appears below under *"1.2 The situation of the individual regional or minority languages in the Netherlands – Frisian"*.

#### ***Use of the regional or minority languages in the media***

18. Since the adoption of the Media Act in 2008, neither the central government, nor provincial authorities have had any influence on the form and the content of the media programmes in the Netherlands. This means that media companies are free to produce, or not, their content in regional or minority languages. In addition, since 2017, financial resources from the central or provincial budgets for the media have been significantly reduced. The Committee of Experts asks the authorities of the Netherlands to take pro-active measures to further guarantee the use of regional or minority languages in the media as ratified under the Charter<sup>6</sup>.

19. As stated in the sixth periodical report, Frisian enjoys a considerable representation, however, in the media. The legal basis lies in the Agreement on the Use of the Frisian Language in the Media (2016)

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<sup>6</sup> For new approaches to the situation of regional or minority languages in the media field and the States Parties obligations under the Charter see Jones E.H.G., Lainio J., Moring T. and Resit F. (2019), [European Charter for Regional or Minority Languages. New technologies, new social media and the European Charter for Regional or Minority Languages](#), Council of Europe, Strasbourg.



that provides extra safeguards for the position of Frisian in this field. The Agreement guarantees full, independent, wide-ranging programming and media in Frisian, available from several sources daily. It also regulates the funding of Omrop Fryslân, the only broadcaster which produces television, radio, and internet content in Frisian and is available across the whole country. Relevant regulations of the Agreement have been included into the BFTK 2019-2023.

20. Concerning other regional or minority languages, the sixth periodical reports mentions a daily newspaper *Dagblad van het Noorden*, which regularly publishes items in and about Low Saxon. Generally speaking, the number of publications in Low Saxon is reported to be growing, although they are mostly aimed at the older generations.

21. The sixth periodical report states that some regional and local broadcasters provide programmes in Limburgish, although they are not named precisely. It has to be noted that since the previous monitoring cycle, the Low Saxon speakers have reported to the Committee of Experts that the number of television programmes in Low Saxon had been limited and that radio programmes had been axed or moved to Sunday morning timeslots.

22. With regard to non-territorial languages and mainly due to the wishes of the speakers, very little information is available on the use of Romanes or Yiddish in the media. During the on-the-spot visit, Romanes speakers informed the Committee of Experts of the extensive use of Romanes in social media, including short movies made by young people. The situation of Yiddish in the Netherlands seems to be exceptional from a historical point of view as Amsterdam has always been, according to some speakers and researchers, an important centre for printing in Yiddish, and remains a place where a quarterly magazine called "*Grine Medine*" is still issued and indeed has 100 subscribers; it is not, however, funded by the public authorities.

#### ***Use of the regional or minority languages in cultural activities and facilities***

23. The sixth periodical report provides information stating that, in accordance with the Cultural Policy Act, the government guarantees a direct financial contribution to a wide and varied range of cultural institutions and programmes, which form the basic national infrastructure (BIS) of the national cultural system. In order to be included in the BIS, cultural institutions have to apply to the Council for Culture (*Raad voor Cultuur*). In the 2017-2020 period, the following selection criteria are applied to obtain a four-year national grant within the BIS framework: content, artistic quality, geographical distribution, cultural education and participation, and social value. As part of the BIS, *Tryater* theatre company from Leeuwarden/Ljouwert (province of Fryslân) receives, for example, an annual grant of €1 600 000 over the 2017-2020 period. The Dutch Foundation for Literature (*Letterenfonds*) supports *Explore the North*, an interdisciplinary production platform for literature, language and multilingualism, with annual funding of €60 000 to boost literary publishing in the northern Netherlands.

24. Most cultural activities in languages protected under the Charter are initiated by the civil society and the speakers themselves. Provincial and municipal authorities award grants to the cultural projects and bodies. They support for example language institutes, such as Afûk or EBLT in Fryslân, promoting regional languages and their literature, heritage, art and culture. Since Leeuwarden/Ljouwert in Fryslân was the Cultural Capital of Europe in 2018, the Council for Culture has launched the process of making the province of Fryslân an experimental region for the regionalisation of the cultural policy in the Netherlands.

25. Initiatives from Limburgish associations are closely connected with all parts of the community in the province. Regional language organisations like *Veldeke Limburg* provide a range of activities. Regional and local broadcasters have programming in Limburgish. There is literature, music and theatre in Limburgish, including '*Troubadours van de Toekomst*' ('Troubadours of the Future') and Festival *Sjiek*. The language also plays an important role in tourism e.g. signage and menu cards in restaurants. Limburgish is an intrinsic element of *Vastelaovend*, which includes a song festival for children and adults. Dictionaries and a publication that features the most fun words in Limburgish ensure people have a good basis in and focus on the language.

26. Cultural activities by the speakers of non-territorial languages are neither supported nor promoted by the authorities at any level. Romanes speakers would welcome support for their music and dance heritage and other ongoing initiatives. Until the Seventies, Yiddish speakers had a lively cultural and social life in the Netherlands, mainly through their associations, but their cultural activities are not publicly visible or known about nowadays.

27. The Committee of Experts underlines that a more active role in initiating cultural activities in all protected languages and in all parts of the Netherlands is expected from the central authorities and/or the authorities with delegated powers. In accordance with Article 7.1.e of the Charter, the authorities of the Netherlands have an obligation to develop links between speakers of the regional or minority languages by establishing cultural activities with various groups using different languages across the country.

### ***Use of the regional or minority languages in economic life***

28. Considering that relevant information contained in the sixth periodical report is only available for Frisian as a Part III language and co-official language in the province of Fryslân, the subject is presented below under “1.2 *The situation of the individual regional or minority languages in the Netherlands – Frisian*”.

### ***Use of the regional or minority languages in transfrontier exchanges***

29. Central government funds for international cultural policy are used to promote and support international projects by civil society organisations in the regions. The speakers of non-territorial languages do not benefit from any support for their transfrontier contacts and transnational exchanges in the fields covered by the Charter.

30. According to the sixth periodical report, the Netherlands authorities strongly act in favour of transfrontier exchanges and international projects relating to Frisian, Limburgish and Low Saxon. In practice, transfrontier exchanges are frequent with regard to the Frisian language. Frisians in Fryslân have regular and diverse contacts with Frisians of Germany, *inter alia* through the Inter-Frisian Council that offers several civil society organisations the opportunity to hold exchanges on subjects like history, culture and language. The BFTK calls for the strengthening and further institutionalising of inter-Frisian contacts between the province of Fryslân and German federal states. The *Fryske Akademy* (Leeuwarden/Ljouwert) and the Frisian department at the University of Groningen have a range of contacts with institutions and organisations such as the *Nordfriisk Instituut* (Bräist/Bredstedt), the *Ostfriesische Landschaft* (Aurich) and Kiel University.

31. The Province of Fryslân is a member of the European Network to Promote Linguistic Diversity (NPLD), a key platform organisation for areas and regions where a minority or regional language is used. The Province of Fryslân has acted as chair for the network periodically and actively uses it to share knowledge of multilingualism and to create collaboration ties wherever possible. For example, the Province actively supported, within the NPLD, the drafting of the document ‘[Classroom activities](#)’, recently published by the Council of Europe (May 2019)<sup>7</sup>.

32. The Netherlands authorities consider multilateral cultural projects on multilingualism to be very important and co-operate in this regard with the European Commission in order to strengthen EU member states’ activities to respect and promote cultural and linguistic diversity, in accordance with the UNESCO Convention for the Protection and Promotion of the Diversity of Cultural Expressions. The Dutch Foundation for Literature (*Letterenfonds*) includes, for example, Frisian literature in its activities, and offers grants to authors and translators who popularise Frisian culture and languages.

33. The speakers of Low Saxon in the Netherlands maintain contacts with the speakers of Low German in Germany. They learn from the experience of the Federal Board for Low German, Low German umbrella

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<sup>7</sup> See ECRML educational toolkit for enhancing the visibility of the Charter: Brohy C., Climent-Ferrando V., Oszmianska-Pagett A. and Ramallo F., (2019), [European Charter for regional or Minority Languages. Classroom activities](#). Council of Europe, Strasbourg.

organisation (*Niederdeutschsekretariat*) and would welcome the upgrading of SONT, the umbrella NGO for Low Saxon, to the same position in the Netherlands as the *Niederdeutschsekretariat*<sup>8</sup> has in Germany. A transfrontier collaboration between similar organisations can be beneficial, in the view of the Committee of Experts, to the preservation of regional or minority languages in Europe.

## 1.2 The situation of the individual regional or minority languages in the Netherlands

### *Frisian*

34. The entry into force of the Use of Frisian Act in 2014 meant the recognition of Frisian as a co-official language in the province of Fryslân. More than 50% of the province's population are native speakers of Frisian. The language has a strong position in all areas of public life. 85% of Fryslân's residents understand the language, 69% speak it and 18% write it. Significant progress has been made in the promotion and protection of Frisian since the adoption of the Act. The DINGtiid, an official advisory body on Frisian established by the Act, aims to promote the equal status of Frisian and Dutch in Fryslân and to advise the central government and provincial authorities on the matter.

35. An interim evaluation of the previous BFTK 2013-2018, based on the Use of Frisian Act, took place in 2016 and found that most municipalities in Fryslân were not actively pursuing a language policy plan. The DINGtiid recommends a stronger focus on the accomplishment of tasks and on the responsibilities to put efforts in support of Frisian on the right course. In the opinion of the DINGtiid, the implementation of language legislation should be the responsibility of a "Language Captain" (*Taalskipper*). After consultation between the provincial authority and central government, since 2017, the Province of Fryslân has been performing the function of a *Taalskipper* and, as such, has taken the lead in formulating a long-term vision for the Frisian language.

36. Thus, the following BFTK concluded for 2019-2023 during the sixth monitoring cycle defines a vision for Frisian by 2030: the use of Frisian in public should increase and the number of people who speak, read and write in Frisian should grow considerably. The use of the Frisian language should therefore become "natural and indisputable". With this objective in mind, the authorities of the province of Fryslân have adopted the *Taalplan Frysk* (Frisian Language Plan), which monitors the presence of Frisian at schools and in the judicial system.

37. Frisian is present at all levels of education, but individual schools can still ask provincial authorities for full or partial exemptions from teaching Frisian. At pre-school level, Frisian is used as the language of communication at day nurseries, playgroups and kindergartens. However, these institutions are mostly private, and the use of Frisian there is based on demand from the parents. In Fryslân, primary and secondary education in Frisian is respectively guaranteed by the Primary Education Act and the Secondary Education Act. During the sixth monitoring cycle, in 2018, agreements (covenants) aimed at creating the right conditions for an adequate provision of Frisian in the educational system were adopted. Thus, the authorities obliged themselves to stimulate the availability of Frisian teaching materials as the offer is currently insufficient or not up to date according to the accepted standards and curricula.

38. At primary and secondary schools, in principle Frisian has an obligatory place, however the possibility of exemptions is still widely used. In 2018, 15% of all pupils were in trilingual education (Dutch, English, and Frisian). Primary schools offer teaching in Frisian, although it is often limited to only 45 minutes per week, which is not sufficient for the implementation of the Charter. At secondary schools, Frisian is sometimes offered during "project weeks"; only four secondary schools out of 71 offer Frisian as a subject in their curriculum as the inclusion of Frisian is up to the directors of individual schools. Frisian can be also learnt as a final exam subject. In secondary vocational education, Frisian is taught as an optional subject to the students of various training courses.

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<sup>8</sup> [www.niederdeutschsekretariat.de](http://www.niederdeutschsekretariat.de)

39. Although there are very good materials for teaching Frisian history and culture, these are only used in Frisian classes. The authorities are encouraged to include these materials in the general curriculum for the history of the Netherlands to be in line with paragraph 3 of Article 7 of the Charter.

40. At higher education level, the training of teachers of Frisian is conducted at the NHL Stenden University. Frisian language and culture can be studied at the Groningen University. Central and provincial authorities are committed to ensuring enough training opportunities, including in-service training for playgroup assistants and teachers of Frisian in primary, secondary and higher education. New statutory standards of competence for teachers and educational staff came into force in August 2017. Despite this structural set up, there is a significant shortage of teachers of and in Frisian. Thus, further pro-active measures are necessary to guarantee the implementation of the Charter.

41. The Frisian Language Plan (*Taalplan Frisk*) regulates the education strategies for every school. The plan is followed up by language co-ordinators who ensure the implementation of the multilingual trajectory from pre-school to higher education, raise awareness among parents and teachers and strengthen language policy in schools. Frisian shall be part of the curricula in all schools as a subject, without possible exemptions, by 2030 and become the widespread language of communication and instruction in the province. The Committee of Experts will follow the implementation of these objectives in its future monitoring cycles. At this stage, it welcomes the setting up of the long-term plan for Frisian.

42. According to the sixth periodical report, there is a need to promote the use of Frisian in the court system and the law enforcement services. Many people automatically regard Dutch as the norm before courts and in contacts with the police, while the use of Frisian would accommodate the speakers better. The provision of an interpreter is legally guaranteed by the authorities free of charge in courts at the Northern Netherlands district court and in the Arnhem-Leeuwarden/Ljouwert court of appeal, but in practice there is only one certified interpreter and a few Frisian-speaking court staff members available, which causes delays in many court cases or leads to trying them in Dutch. The Committee of Experts shares the concern of the Frisian provincial authorities that the right to use Frisian before courts is becoming only formal. It encourages the provincial authorities to discuss the matter with the Northern Netherlands district court and the Arnhem-Leeuwarden/Ljouwert court of appeal with a view to strengthening the use of Frisian in the judicial system in line with the undertakings chosen in the Charter and with the commitments contained in the 2019-2023 BFTK, Chapter 3 "*Judicial authorities, administrative authorities and public services*".

43. The Committee of Experts welcomes the information in the sixth periodical report that after the re-organisation of Frisian municipalities, local and provincial authorities make efforts to ensure that Frisian plays a recognisable role in the new municipalities. The provincial authority has set up a financial scheme (*Mei-inoar foar it Frysk*) to support municipal authorities in their implementation of the Use of Frisian Act. The central government has made extra funding available during the term of the BFTK 2019-2023 in order to put this legislation into practice (€150,000 per year). The website of the Province of Fryslân is available in both languages, most staff speak the language, and documents concerning regional Frisian issues exist in both co-official languages, indeed sometimes only in Frisian. Municipalities respond to questions submitted in Frisian in the same language and provide Frisian content on their websites. At municipal level, 96% of civil servants understand Frisian, 75% speak it, and 24% have a written command of the Frisian language.

44. Two regional newspapers, *Friesch Dagblad* and *Leeuwarder Courant*, are issued in Leeuwarden/Ljouwert and both publish a small number of their articles in Frisian. The amount of media presentation of Frisian is the broadcasters' prerogative. Currently, the language is present on the radio, television and internet. In 2017, the previously announced cutback in financing of the regional broadcasting companies was undertaken. Omrop Fryslân, the only broadcaster in the Frisian language, which has the second-highest viewing figures of all regional broadcasters and the only regional broadcaster that produces programming in Frisian for schools, was affected by financial cuts. Omrop Fryslân has its own broadcasting channel, and receives, from central and provincial authorities, regular funding consistent with special policy on Frisian-language public media services. According to the sixth periodical report, despite financial cuts, the duration of radio and television programmes has notably increased. Omrop Fryslân's television channel

is available throughout the country. Television and radio channels are available online. Documentary series in Frisian are weekly broadcast on the national television.

45. The Committee of Experts welcomes the widespread use of Frisian on the Internet and in social media, where people communicate with their family members and friends<sup>9</sup>. “Frisian is the language of the home page of the website of Omrop Fryslân and the entire Omrop Fryslân App is in Frisian. Only the news section of the website and the App are also available in Dutch. 75% of news articles are read in Frisian, and 25% in Dutch. Omrop Fryslân managed to double the number of visitors on its websites between 2014 and 2018 and has a Frisian-only Facebook page reaching between 80,000 and 120,000 unique visitors per day. Furthermore, data from Omrop Fryslân show that this is not limited to the younger generation; 27% of users of [www.omropfryslan.nl](http://www.omropfryslan.nl) are between 60 and 75 years old”<sup>10</sup>.

46. The Committee of Experts welcomes the fact that the programme of Leeuwarden/Ljouwert as the European Capital of Culture in 2018 contained many activities in the Frisian language. The prominent Frisian cultural institutions are co-funded by the provincial authorities and the Ministry of Education, Culture and Science. These are the Frisian language theatre company *Tryater*, the research institute *Fryske Akademy*, and the Frisian Literature Museum and Documentation Centre *Tresoar*. The latter is the result of a merger of the provincial archives and library and is currently digitising its entire corpus of Frisian literature (approximately 20,000 titles). Other cultural institutions, such as the Centre for Frisian Art and Culture *Keunstwurk* and the language promotion institution Afûk are supported by the Province only.

47. The Province of Fryslân supports a variety of innovative projects promoting the Frisian culture and language such as the smartphone application and booklet *Taal fan it hert* (“Language of your Heart”) featuring information about Frisian culture and language, the “*Frisian Google Translate Week*” mobilising hundreds of volunteers and resulting in the inclusion of Frisian in Google Translate, and the biennial Frisian-language song festival for young people *SjONG*, which includes a prize for the best YouTube video. Cultural activities are also part of Frisian cross-border contacts, for example with Frisian communities in Germany. The Frisian theatre in Leeuwarden/Ljouwert has contacts with Sami communities in the Nordic countries, where minority languages are also spoken and protected under the Charter. The Frisian culture is promoted by the embassies of the Netherlands as a part of their public diplomacy and cultural policy.

48. Several agreements on the use of Frisian in economic and social life are incorporated in the BFTK and the Social Support Act. The BFTK encourages companies in Fryslân to use the language in their external communication and to strengthen their identity as Frisian companies. In 2019, the provincial authority launched a research project on the added value of the Frisian language in business life, considering this field as a new key area in its language policy. The final report is planned to be published in March 2020. So far, more than 4000 small and medium-sized enterprises (SMEs) filled in an employment questionnaire. Half of the SMEs indicated that a command of Frisian (understanding and speaking) played a role in selecting their personnel. The Frisian language is widely used in the construction industry, the mineral industry, financial engineering, commerce and repairs, but is less used in the hotel and catering industry and in ICT. The smaller the company is, the more important the use of the regional language. Frisian is spoken, on average, in more than 47% of companies throughout the Fryslân province, including the islands (for example, in six municipalities in North Fryslân more than 80% of companies use Frisian, with a maximum of 88% in Dantumadiel; in the centre of the province, from 70% in Opsterland to 41% in Leeuwarden/Ljouwert, and in the North from 63% in Waadhoeke to 3% on the island of Terschelling)<sup>11</sup>. In conformity with the recently amended regulation on taxes and customs, Frisian public benefit organisations are now allowed to account for their finances and activities in Frisian.

49. Frisian is frequently used in healthcare, which leads to the improvement of medical services. The vision for 2030 aims to further strengthen the situation of Frisian in healthcare, which incorporates several measures, such as the possibility of contacting healthcare institutions and municipal authorities in Frisian

<sup>9</sup> See footnote 6, Jones [...], (2019), op.cit.

<sup>10</sup> See [3rd opinion of the FCNM Advisory Committee, 2019](#).

<sup>11</sup> Figures based on data from the provincial survey conducted by the consultancy firm E&EAdvies located in Groningen, as provided during the on-the-spot visit in October 2019.

regarding health issues. The indisputable use of Frisian is the aim of the ongoing “Frysk yn ‘e soarch” project and concerns maternity care, baby and toddler clinics, hospitals, nursing homes, general practitioners, emergency control centres and home help provided under the Social Support Act.

### ***Limburgish***

50. The Limburgish provincial authority informed the Committee of Experts that Limburgish has a strong social position in the province, although the number of speakers is declining. The language policy document “‘n Laeve lank Limburgs” aims to preserve the number of Limburgish speakers in the Limburg province. Limburgish is part of the framework document on the protection of cultural heritage “Toekomst voor Erfgoed!”.

51. The Limburgish authorities, civil society and academics underline the importance of Limburgish as a school subject, agreeing with the opinions of the Committee of Experts that if Limburgish is only learnt within a family context, the language is at risk of declining and, with time, of disappearing. According to the information provided during the on-the-spot visit, Limburgish is taught at some schools upon the initiative of speakers and with the support of head teachers. However, representatives of the speakers asked for a stronger status of the language in education.

52. Some organisations believe that a statutory obligation and central government funding to promote the use of Limburgish as a regional language in education are needed to create a positive framework for the preservation of the language. In the opinion of Limburgish provincial authorities, this position is important but contains drastic recommendations, and the covenant will offer adequate support to the use of Limburgish in education (for more detail see above section “1.1. General developments in policies, legislation and practice concerning the regional or minority languages in the Netherlands”, paragraph 7). In expectation of the signature of the covenant on Limburgish, the Committee of Experts looks forward to further improvements in the implementation of the Charter with respect to Limburgish.

### ***Low Saxon***

53. Considering the declining number of speakers of Low Saxon and consequently the risk of an undesirable weakening of the language in the long term, an administrative agreement, called the Low Saxon Covenant, was signed on 10 October 2018 between central authorities, represented only by the Minister of the Interior and Kingdom Relations, and seven provincial and municipal authorities<sup>12</sup> responsible for the areas in which Low Saxon is used. This event drew exceptional media attention at regional and national level and as such contributed to greater visibility and higher appreciation of Low Saxon among the citizens of the Netherlands. It should be underlined that this covenant urges the parties to preserve and promote Low Saxon, although central authorities consider themselves as complementary to the regional and local authorities. Over the one year of the covenant’s existence, a sum of €25 000 has been allocated from the central government for the implementation of the Low Saxon Covenant.

54. Low Saxon speakers feel valued by the recent formal recognition at national level, even if the language, in its several varieties of Gronings, Drents, Stellingwerfs, Sallands, Twents, Achterhoeks and Veluws, is not co-official in the areas where it is used. Other municipalities of the Low Saxon language area such as Bunschoten-Spakenburg in the province of Utrecht and the former island of Urk have also expressed their interest to take part in the covenant with the central authorities. At the time of the on-the-spot visit, civil society declared its willingness to reinforce co-operation with the authorities and other partners, such as Low Saxon regional institutions.

55. The Province of Overijssel has been co-ordinating the implementation of the covenant since its signature. At the end of 2020, it will be replaced by the Province of Groningen. The adopted solution does not suit the speakers. They would prefer a more sustainable governance structure responsible for a clear joint vision and a plan of action. The designation of a programme co-ordinating entity for the protection and

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<sup>12</sup> Central authority: Minister of the Interior and Kingdom Relations; provincial authorities: Drenthe, Fryslân, Gelderland, Groningen, and Overijssel; municipal authorities: Ooststellingwerf and Weststellingwerf.

development of Low Saxon in the long term is desirable in order to position this language with its own identity and culture, and to reinforce its presence in education, history, economy and other sectors of public life.

56. Given the persistent rejection by the Lower Chamber of the Parliament of the Netherlands to submit Low Saxon to Part III of the Charter, civil society agreed to make full use of the provisions of the Charter's Part II. However, the covenant is not enforceable by law. Its impact will be examined within two years of its entry into force i.e. in October 2020, according to the covenant's Article 2.4.

57. With regard to education, which is one of the speakers' main concerns, there is a clear need for a structured approach to teach Low Saxon at various stages of education. Low Saxon is still not used at kindergarten or pre-school level; language teachers are not accredited, and few people can speak or write Low Saxon even though they have had the opportunity to attend Low Saxon classes (only 7% can write it). Non-speakers can learn Low Saxon through NGOs initiatives only. The language is present at vocational schools. It will soon become part of the curriculum in a nurses' school in Zwolle. The position of Low Saxon at university level has deteriorated since the previous monitoring cycle, after the retirement of the head of the Chair of Low Saxon. Currently, only a part-time chair position (20% FTE) exists at the University of Groningen.

58. According to the sixth periodical report, the Low Saxon Covenant has had a positive effect on the promotion of this language. Organisations such as *IJsselacademie* and *Grunneger Sproak* run projects on the promotion of Low Saxon in healthcare. The *IJsselacademie* is working on a historical project in Low Saxon. In general, Low Saxon speakers have reinforced their local initiatives, but because of a lack of funding, their activities such as music and song festivals, historical projects, films and various publications in their language remain incidental and promotional only. The Committee of Experts encourages all eight parties to the covenant to seize every opportunity to move the protection and promotion of Low Saxon under Part II of the Charter forward in a structured and sustainable manner, in collaboration with the speakers from every part of the Netherlands in which the language is used.

### **Romanes**

59. The relationship between the central authorities and speakers of Romanes has improved since the last monitoring cycle. Representatives of the speakers organise projects supported by grants from the Ministry of Health, Welfare and Sport<sup>13</sup>, which focus on their culture and identity.

60. Romanes is the most valuable and almost exclusive legacy of Sinti traditionally living in the Netherlands. The Committee of Experts was informed during the on-the spot visit that the authorities are in contact with a few representatives only who do not necessarily represent the general interests of the community. The Dutch Sinti are notably against the use of Romanes in public life and in education. This leads to a situation where the teaching of the language is only supported through grants awarded to selected NGOs or groups of people, with Romanes absent from the Dutch educational system. Although the approach of the authorities of the Netherlands is not in line with the provisions under the Charter, the Committee of Experts accepts that this situation is caused by the language attitude of the speakers and not by neglect or inactivity of the authorities. However, the Committee of Experts asks the authorities to broaden support and develop strategies which will help the speakers to pass on the language to their children.

### **Yiddish**

61. Yiddish is, alongside Romanes, the language that mostly prevails in the private sphere in the Netherlands, and is spoken, according to the information gathered during the on-the-spot visit, by 350 speakers, mainly in Amsterdam, Rotterdam and The Hague. The language is, however, present in the

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<sup>13</sup> See Ministry of the Interior and Kingdom Relations (16 December 2011), Policy measures in the Netherlands for the social inclusion of Roma. Decree of 8 April 2015 on the subsidy ceiling and policy rules on the granting of subsidies to projects and activities for the participation and emancipation of Sinti and Roma in the Netherlands (*Vaststelling subsidieplafond en vaststelling beleidsregels inzake subsidieverlening projecten en activiteiten ten behoeve van de participatie en emancipatie van de Sinti en Roma in Nederland*).

schools affiliated to the Cheider Institute in Amsterdam that provide teaching in Yiddish and the related history and culture for up to one hundred pupils from pre-school to secondary level education. These schools benefit from special funds from the central authorities. According to the sixth periodical report, the two Jewish schools in Amsterdam – Cheider and Maimonides – have been officially recognised as ‘exceptional schools’, in light of the fact that their teaching of Yiddish and Hebrew serves the interests of the cultural heritage of the Netherlands.

62. The sixth periodical report does not provide any information on the cultural activities for Yiddish speakers or the use of Yiddish in public, social or economic contexts. It should be underlined that the identity of Yiddish speakers relies on the language. Thus, the protection and promotion of the language is of utmost importance.

63. There is no longer a chair position for Yiddish at the University of Amsterdam or at any other academic institution. As students show interest in learning and studying Yiddish, they only can achieve their goals by studying abroad. Given the fact that Yiddish is an integral part of the Netherlands’ linguistic heritage and culture, the Committee of Experts asks the authorities of the Netherlands to consider the sustainable establishment of Yiddish in Dutch academia. The Committee of Experts remains convinced that the Yiddish memory shall continue in the Netherlands, but that will only be possible with structured support from the central authorities.



## Chapter 2 Compliance of the Netherlands with its undertakings under the European Charter for Regional or Minority Languages and recommendations

### 2.1 Frisian

#### 2.1.1 Compliance of the Netherlands with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Frisian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of the Netherlands concerning Frisian <sup>14</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Frisian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Frisian		↗			
7.1.c	resolute action to promote Frisian	=				
7.1.d	facilitation and/or encouragement of the use of Frisian, in speech and writing, in public life (for example, education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life and/or transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Frisian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	↗				
7.1.f	provision of forms and means for the teaching and study of Frisian at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Frisian to learn it		=			
7.1.h	promotion of study and research on Frisian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Frisian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Frisian	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Frisian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Frisian among their objectives</li> </ul>	↗				
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Frisian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Frisian</li> </ul>	↗				
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>						

<sup>14</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Council of Europe Treaty Office: [http://www.coe.int/en/web/conventions/treaty\\_No\\_148](http://www.coe.int/en/web/conventions/treaty_No_148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of the Netherlands concerning Frisian<sup>14</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
<b>Art. 8 – Education</b>						
8.1.a.ii	make available a substantial part of pre-school education in Frisian		=			
8.1.b.ii	make available a substantial part of primary education in Frisian				=	
8.1.c.iii	provide, within secondary education, for the teaching of Frisian as an integral part of the curriculum		=			
8.1.e.ii	provide facilities for the study of Frisian as a university and higher education subject	=				
8.1.f.i	Arrange for the provision of adult and continuing education courses which are taught mainly or wholly in Frisian	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Frisian		↗			
8.1.h	provide the basic and further training of the teachers teaching (in) Frisian	↗				
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Frisian and for drawing up public periodic reports of its findings		↘			
8.2	in territories other than those in which Frisian is traditionally used, allow, encourage or provide teaching in or of Frisian at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.1.a.ii	guarantee the accused the right to use Frisian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned		=			
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Frisian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned	=				
9.1.b.iii	allow documents and evidence to be produced in Frisian in civil proceedings, if necessary by the use of interpreters and translations	=				
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Frisian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations		=			
9.1.c.iii	allow documents and evidence to be produced in Frisian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations	=				
9.2.b	In civil proceedings, allow the use of Frisian in oral and in writing without incurring additional expenses	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.a	Ensure that users of Frisian may validly submit a document in Frisian	=				
10.1.c	allow the administrative authorities to draft documents in Frisian	↗				
10.2.a	use of Frisian within the framework of the regional or local authority	↗				
10.2.b	possibility for users of Frisian to submit oral or written applications in Frisian to the regional or local authority	↗				
10.2.c	publication by regional authorities of their official documents also in Frisian	↗				
10.2.d	publication by local authorities of their official documents also in Frisian	↗				
10.2.e	use by regional authorities of Frisian in debates in their assemblies	↗				
10.2.f	use by local authorities of Frisian in debates in their assemblies	=				
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Frisian	=				
10.4.a	provide translation or interpretation	=				
10.4.c	comply with requests from public service employees having a knowledge of Frisian to be appointed in the territory in which that language is used					✓
10.5	allow the use or adoption of family names in Frisian	=				
<b>Art. 11 - Media</b>						
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Frisian	=				
11.1.b.ii	encourage and/or facilitate the broadcasting of radio programmes in Frisian on a regular basis	=				
11.1.c.ii	encourage and/or facilitate the broadcasting of television programmes in Frisian on a regular basis	=				

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of the Netherlands concerning Frisian<sup>14</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
11.1.fii	Apply existing measures for financial assistance to audio-visual productions in Frisian	=				
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Frisian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Frisian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Frisian</li> </ul>	=				
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Frisian	=				
12.1.b	Foster access in other languages to works produced in Frisian by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Frisian language and culture in the undertakings which they initiate or for which they provide backing	=				
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Frisian	=				
12.1.f	encourage direct participation by representatives of the users of Frisian in providing facilities and planning cultural activities	=				
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Frisian	=				
12.1.h	Create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing administrative, commercial, economic, social, technical or legal terminology in Frisian	=				
12.2	In territories other than those in which Frisian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Frisian	=				
12.3	make provision, in cultural policy abroad, for Frisian and the culture it reflects	↗				
<b>Art. 13 – Economic and social life</b>						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Frisian in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations	=				
13.1.c	oppose practices designed to discourage the use of Frisian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Frisian in economic and social life	=				
13.2.b	in the public sector, organise activities to promote the use of Frisian in economic and social life		=			
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Frisian		=			
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Frisian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Frisian in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Frisian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Frisian is used in identical or similar form	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

64. The situation with respect to Article 7.1.b. has improved; however, as part of the appeal court is located outside Fryslân where Frisian cannot always be used, the obligations are only partly fulfilled. The evaluation of Article 7.1.e. has changed since the authorities of the Netherlands are active in bringing together speakers of regional or minority languages and organise regular symposia and round tables for and with speakers. With the signing of the covenant, improvements have been achieved and various bodies established; thus, Articles 7. 3. and 7.4. are fulfilled.

65. With the development of teaching materials reflecting the history and culture of Frisian and its use in some schools for students of Frisian only, undertaking 8.1.g is deemed partly fulfilled. Basic and further training of teachers is provided (8.1.h); however, the number of teachers and students is very low. In comparison to the previous monitoring cycle, the focus on evaluating the quality of the teaching of and in Frisian is still often neglected and is only foreseen on a periodical basis at intervals of several years; thus, Article 8.1.i is only partly fulfilled. The new BFTK improved the use of Frisian in communication with and within the public authorities considerably. Therefore, Articles 10.1.c. and 10.2.a. to e. are now fulfilled. Regarding Article 10.4.c., the Committee of Experts is not in a position to conclude as it was not made aware of any cases of requests or neglect. Article 12.3. is fulfilled since Frisian is currently promoted as an integral part of the cultural heritage of the Netherlands in official events outside the country.

### 2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Frisian in the Netherlands

The Committee of Experts encourages the authorities of the Netherlands to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in the Netherlands<sup>15</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

<p>a. <b>Increase the number of teaching hours of and in Frisian at primary level as well as the number of secondary schools with Frisian in their curricula.</b></p>
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#### II. Further recommendations

- b. Promote participation in teacher training to meet the need for teaching Frisian.
- c. Ensure the teaching of the history and culture reflected by Frisian to all students.
- d. Ensure that the existing school inspectorate sufficiently addresses Frisian.
- e. Strengthen the use of Frisian in the health sector, both in care for the elderly and in hospitals.
- f. Ensure that in all relevant judicial cases, Frisian can be used.

<sup>15</sup> [CM/RecChL\(2001\)1](#), 19 September 2001, Ministers' Deputies 765th meeting; [CM/RecChL\(2004\)7](#), 15 December 2004, ministers' Deputies 909th meeting ; [CM/RecChL\(2008\)4](#), 9 July 2008, Ministers' Deputies 1032nd meeting; [CM/RecChL\(2012\)5](#), 24 October 2012, Ministers' Deputies 1153rd meeting; [CM/RecChL\(2016\)7](#), 14 December 2016, Ministers' Deputies 1273bis meeting.

## 2.2 Limburgish

### 2.2.1 Compliance of the Netherlands with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Limburgish

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ✓ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of the Netherlands concerning Limburgish <sup>16</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Limburgish as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Limburgish	=				
7.1.c	resolute action to promote Limburgish	↗				
7.1.d	facilitation and/or encouragement of the use of Limburgish, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Limburgish • establishment of cultural relations with other linguistic groups	↗				
7.1.f	provision of forms and means for the teaching and study of Limburgish at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Limburgish to learn it				✓	
7.1.h	promotion of study and research on Limburgish at universities or equivalent institutions		✓			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Limburgish	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Limburgish	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Limburgish among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Limburgish among their objectives	↗				
7.4	• take into consideration the needs and wishes expressed by the group which uses Limburgish • establish a body for the purpose of advising the authorities on all matters pertaining to Limburgish	↗				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>16</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Council of Europe Treaty Office: [http://www.coe.int/en/web/conventions/treaty\\_No\\_148](http://www.coe.int/en/web/conventions/treaty_No_148).

## Changes in the evaluation compared to the previous monitoring cycle

66. A covenant on Limburgish has been negotiated and is in the process of being implemented; this qualifies Article 7.1.c. as fulfilled. The Netherlands authorities are active in bringing together speakers of regional or minority languages and organise regular symposia and round tables for and with speakers; Article 7.1.e. is thus fulfilled. The Committee of Experts received information during the on-the-spot visit that there is no possibility of learning Limburgish in adult education; therefore, the evaluation of the Committee of Experts of Article 7.1.g. has to be changed to not fulfilled. As there is research on Limburgish at university level but no study of the language, Article 7.1.h. is partly fulfilled. The forthcoming Limburgish covenant ensures the fulfilment of Article 7.3. With the negotiation of the covenant and the establishment of various bodies for the purpose of advising the authorities, Article 7.4. is also fulfilled.

### 2.2.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Limburgish in the Netherlands

The Committee of Experts encourages the authorities of the Netherlands to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in the Netherlands<sup>17</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

a. **Implement provisions under the covenant for the benefit of Limburgish and report on the measures taken.**

#### II. Further recommendations

- b. Ensure the teaching of Limburgish at pre-school and all levels of compulsory education.
- c. Make the study of Limburgish available at university level and learning for adult non-speakers.
- d. Strengthen the use of Limburgish in public life and in the media.

<sup>17</sup>[CM/RecChL\(2001\)1](#), 19 September 2001, Ministers' Deputies 765th meeting; [CM/RecChL\(2004\)7](#), 15 December 2004, Ministers' Deputies 909th meeting ; [CM/RecChL\(2008\)4](#), 9 July 2008, Ministers' Deputies 1032nd meeting; [CM/RecChL\(2012\)5](#), 24 October 2012, Ministers' Deputies 1153rd meeting; [CM/RecChL\(2016\)7](#), 14 December 2016, Ministers' Deputies 1273bis meeting.

## 2.3 Low Saxon

### 2.3.1 Compliance of the Netherlands with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low Saxon

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of the Netherlands concerning Low Saxon <sup>18</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Low Saxon as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Low Saxon	=				
7.1.c	resolute action to promote Low Saxon	↗				
7.1.d	facilitation and/or encouragement of the use of Low Saxon, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low Saxon • establishment of cultural relations with other linguistic groups	↗				
7.1.f	provision of forms and means for the teaching and study of Low Saxon at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Low Saxon to learn it	=				
7.1.h	promotion of study and research on Low Saxon at universities or equivalent institutions		↘			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low Saxon	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low Saxon	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low Saxon among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low Saxon among their objectives	↗				
7.4	• take into consideration the needs and wishes expressed by the group which uses Low Saxon • establish a body for the purpose of advising the authorities on all matters pertaining to Low Saxon	↗				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>18</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Council of Europe Treaty Office: [http://www.coe.int/en/web/conventions/treaty No. 148](http://www.coe.int/en/web/conventions/treaty_no_148).

## Changes in the evaluation compared to the previous monitoring cycle

67. In 2018, the authorities of the Netherlands took formal resolute action to protect and promote Low Saxon by signing a covenant (non-legally binding memorandum of understanding) with regional and local authorities where most Low Saxon speakers live. The covenant expresses the joint intents of all parties to protect Low Saxon. During the on-the-spot visit, the speakers underlined the remarkable impact of the covenant throughout the country. For this reason, Article 7.1.c. is fulfilled. The Netherlands authorities are active in bringing together speakers of regional or minority languages and organise regular symposia and round tables for and with speakers; Article 7.1.e. is therefore fulfilled.

68. A chair position for Low Saxon exists at the University of Groningen but its situation has deteriorated since the fifth monitoring cycle. Currently, only the university finances the Low Saxon chair, which receives a yearly lump sum from central government. However, Low Saxon is not taught at university level, Ph.D. students are incidental, there is a part-time professor for Low Saxon for one day a week (20% FTE), and research is consequently limited and fragmented. Article 7.1.h. is hence partly fulfilled.

69. The Low Saxon covenant ensures the fulfilment of Article 7.3. and 7.4. Low Saxon is used in several provinces and municipalities. One of the provinces, the Province of Overijssel, is responsible for developing the policies in respect of Low Saxon until the end of 2020. This province took important steps in order to implement the obligations under the Charter. However, the sustainability of the governance structure responsible for Low Saxon should be improved in the future (see above paragraph 55).

### 2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low Saxon in the Netherlands

The Committee of Experts encourages the authorities of the Netherlands to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in the Netherlands<sup>19</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

a. <b>Make the study of Low Saxon available at university level.</b>
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#### II. Further recommendations

- b. Ensure the teaching of Low Saxon at pre-school and all levels of compulsory education.
- c. Strengthen the use of Low Saxon in public life and in the media.

<sup>19</sup> [CM/RecChL\(2001\)1](#), 19 September 2001, Ministers' Deputies 765th meeting; [CM/RecChL\(2004\)7](#), 15 December 2004, Ministers' Deputies 909th meeting ; [CM/RecChL\(2008\)4](#), 9 July 2008, Ministers' Deputies 1032nd meeting; [CM/RecChL\(2012\)5](#), 24 October 2012, Ministers' Deputies 1153rd meeting; [CM/RecChL\(2016\)7](#), 14 December 2016, Ministers' Deputies 1273bis meeting.



## 2.4 Romanes

### 2.4.1 Compliance of the Netherlands with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Romanes

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of the Netherlands concerning Romanes <sup>20</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Romanes as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Romanes	=				
7.1.c	resolute action to promote Romanes					=
7.1.d	facilitation and/or encouragement of the use of Romanes, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life					=
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Romanes</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>					=
7.1.f	provision of forms and means for the teaching and study of Romanes at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Romanes to learn it					=
7.1.h	promotion of study and research on Romanes at universities or equivalent institutions					=
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Romanes					=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Romanes					=
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Romanes among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Romanes among their objectives</li> </ul>				=	
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Romanes</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Romanes</li> </ul>			=		

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>20</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Council of Europe Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

[In its evaluation of the application of Art. 7.1-7.4 to Romanes, the Committee of Experts has kept in mind that these provisions should be applied *mutatis mutandis*.]

### Changes in the evaluation compared to the previous monitoring cycle

70. Representatives whom the Committee of Experts met during the on-the-spot visit underlined a more positive approach to their own communities' views and traditions since 2018, notably on the side of the Ministry of the Interior and Kingdom Relations. Nevertheless, a structured dialogue on the protection and promotion of Romanes between the authorities of the Netherlands and traditional speakers and non-speakers is missing. Bearing in mind that "in determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages", the Committee of Experts encourages direct contacts between Romanes speakers and central authorities. Taking into consideration the attitude of Romanes speakers who perceive their language as a tabooed in-group marker, the Committee of Experts is aware that the shortcomings related to the implementation of the Charter cannot be solely attributed to the authorities. Therefore, in such cases, the Committee of Experts is not in a position to conclude on the respective undertakings.

71. Article 7.1.f. is considered partly fulfilled as there is an opportunity to apply for public grants, *inter alia* for educational and cultural purposes in favour of Romanes and its speakers. Some information was provided to the Committee of Experts on the practical use of the awarded funds for promoting Romanes outside schools by the speakers themselves. In principle, academic research on Romanes is possible, however the teaching of the history and culture related to Romanes to promote mutual understanding is absent in the general curricula. Article 7.3. is therefore not fulfilled.

#### 2.4.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Romanes in the Netherlands

The Committee of Experts encourages the authorities of the Netherlands to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in the Netherlands<sup>21</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

##### I. Recommendations for immediate action

<p>a. <b>Intensify and broaden contacts with the speakers of Romanes in order to support them in safeguarding their language.</b></p>
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##### II. Further recommendations

- b. Include the history and culture related to Romanes into the general curriculum.
- c. Further support the cultural activities of the speakers of Romanes.
- d. Encourage and support Romanes speakers in establishing transfrontier relations with speakers of Romanes outside of the Netherlands.

<sup>21</sup> [CM/RecChL\(2001\)1](#), 19 September 2001, Ministers' Deputies 765th meeting; [CM/RecChL\(2004\)7](#), 15 December 2004, Ministers' Deputies 909th meeting ; [CM/RecChL\(2008\)4](#), 9 July 2008, Ministers' Deputies 1032nd meeting; [CM/RecChL\(2012\)5](#), 24 October 2012, Ministers' Deputies 1153rd meeting; [CM/RecChL\(2016\)7](#), 14 December 2016, Ministers' Deputies 1273bis meeting..

## 2.5 Yiddish

### 2.5.1 Compliance of the Netherlands with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Yiddish

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of the Netherlands concerning Yiddish <sup>22</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Yiddish as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Yiddish					=
7.1.c	resolute action to promote Yiddish					=
7.1.d	facilitation and/or encouragement of the use of Yiddish, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life					=
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Yiddish</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>					=
7.1.f	provision of forms and means for the teaching and study of Yiddish at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Yiddish to learn it	=				
7.1.h	promotion of study and research on Yiddish at universities or equivalent institutions		↗			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Yiddish					=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Yiddish	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Yiddish among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Yiddish among their objectives</li> </ul>					=
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Yiddish</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Yiddish</li> </ul>		↗			

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>22</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Council of Europe Treaty Office: [http://www.coe.int/en/web/conventions/treaty\\_no\\_148](http://www.coe.int/en/web/conventions/treaty_no_148).

### Changes in the evaluation compared to the previous monitoring cycle

72. As the Yiddish-speaking community is relatively closed, the shortcomings related to the implementation of the Charter cannot be solely attributed to the authorities. In such cases, the Committee of Experts is not in a position to conclude on the respective undertakings.

73. Article 7.1.h. is partly fulfilled because it is only possible to do research on Yiddish at the universities in Amsterdam while students who wish to study Yiddish have to go abroad.

74. The Committee of Experts recognises that the authorities of the Netherlands show openness to dialogue with the Yiddish speakers. However, this dialogue has to be intensified to show concrete results, with special attention to the heritage dimension of Yiddish in the Netherlands. Therefore, Article 7.4. is partly fulfilled.

### 2.5.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Yiddish in the Netherlands

The Committee of Experts encourages the authorities of the Netherlands to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in the Netherlands<sup>23</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

a. <b>Establish closer contacts with the community of Yiddish speakers in order to safeguard the cultural heritage of the Netherlands related to Yiddish.</b>
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#### II. Further recommendations

b. Further support and empower Yiddish in the Dutch academia.

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<sup>23</sup>[CM/RecChL\(2001\)1](#), 19 September 2001, Ministers' Deputies 765th meeting; [CM/RecChL\(2004\)7](#), 15 December 2004, Ministers' Deputies 909th meeting ; [CM/RecChL\(2008\)4](#), 9 July 2008, Ministers' Deputies 1032nd meeting; [CM/RecChL\(2012\)5](#), 24 October 2012, Ministers' Deputies 1153rd meeting; [CM/RecChL\(2016\)7](#), 14 December 2016, Ministers' Deputies 1273bis meeting.

### **Chapter 3 [Proposals for] Recommendations of the Committee of Ministers of the Council of Europe**

The Committee of Experts, while acknowledging the efforts the authorities of the Netherlands have undertaken to protect the regional and minority languages spoken in their country, has in its evaluation chosen to concentrate on some of the most important deficiencies in the implementation of the Charter. The recommendations forwarded by the Committee of Experts to the Committee of Ministers should not, however, be interpreted as diminishing the relevance of the other, more detailed observations contained in the report, which remain valid in their own right. The recommendations proposed by the Committee of Experts are drafted accordingly.

The Committee of Experts of the European Charter for Regional or Minority Languages, in accordance with Article 16.4 of the Charter, proposes on the basis of the information contained in this report, that the Committee of Ministers makes the following recommendations to the Netherlands.

The Committee of Ministers,

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

Having regard to the instrument of acceptance deposited by the Kingdom of the Netherlands on 2 May 1996 and to the supplementary declaration submitted on 19 March 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 the Netherlands;

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

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

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

1. continue to strengthen the teaching of and in Frisian at all levels of education;
2. adopt a structured policy for the implementation of the Charter for Romanes and Yiddish, in co-operation with the speakers;
3. further develop the teaching of Limburgish and Low Saxon as regular school subjects and extend the offer of education in these languages, including at pre-school level.

The Committee of Ministers invites the authorities of the Netherlands to submit their seventh periodical report by 1 June 2021<sup>24</sup>.

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<sup>24</sup> See Council of Europe Committee of Ministers Decisions [CM/Del/Dec\(2018\)1330/10.4e - CM-Public](#), and Outlines for the periodical reports on the implementation of the European Charter for Regional or Minority Languages to be presented by the States Parties, [CM\(2019\)69 final](#).

## Appendix I: Instrument of Acceptance



Netherlands

### **Declaration contained in the instrument of acceptance, deposited on 2 May 1996 - Or. Engl.**

The Kingdom of the Netherlands accepts the said Charter for the Kingdom in Europe.

#### **Period covered: 01/03/1998 -**

Articles concerned : -

### **Declarations contained in a Note Verbale handed over by the Permanent Representative of the Netherlands at the time of deposit of the instrument of acceptance, on 2 May 1996 - Or. Engl.**

The Kingdom of the Netherlands declares, in accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the European Charter for Regional or Minority Languages, that it will apply to the Frisian language in the province of Friesland the following provisions of Part III of the Charter:

#### In Article 8:

Paragraph 1, sub-paragraphs a (ii), b (ii), c (iii), e (ii), f (i), g, h, i.  
Paragraph 2.

#### In Article 9:

Paragraph 1, sub-paragraphs a (ii), a (iii), b (iii), c (ii), c (iii).  
Paragraph 2, sub-paragraph b.

#### In Article 10:

Paragraph 1, sub-paragraphs a (v), c.  
Paragraph 2, sub-paragraphs a, b, c, d, e, f, g.  
Paragraph 4, sub-paragraphs a, c.  
Paragraph 5.

#### In Article 11:

Paragraph 1, sub-paragraphs a (iii), b (ii), c (ii), f (ii).  
Paragraph 2.

#### In Article 12:

Paragraph 1, sub-paragraphs a, b, d, e, f, g, h.  
Paragraph 2.  
Paragraph 3.

#### In Article 13:

Paragraph 1, sub-paragraphs a, c, d.  
Paragraph 2, sub-paragraphs b, c.

#### In Article 14:

Paragraph a.  
Paragraph b.

The Kingdom of the Netherlands further declares that the principles enumerated in Part II of the Charter

will be applied to the Lower-Saxon languages used in the Netherlands, and, in accordance with Article 7, paragraph 5, to Yiddish and the Romanes languages.

**Period covered: 01/03/1998 -**

**Articles concerned : 10, 11, 12, 13, 14, 2, 3, 7, 8, 9**

**Declaration contained in a Note Verbale from the Permanent Representation of the Netherlands, dated 18 March 1997, registered at the Secretariat General on 19 March 1997 - Or. Engl.**

The Kingdom of the Netherlands declares, in accordance with Article 2, paragraph 1, of the European Charter for Regional or Minority Languages of 5 November 1992, that the principles enumerated in Part II of the Charter will be applied to the Limburger language used in the Netherlands.

**Period covered: 01/03/1998 -**

**Articles concerned : 2**

## Appendix II: Comments from the authorities of the Netherlands

In its Sixth Evaluation Report the Committee of Experts makes three principal recommendations for implementing the Charter for Regional or Minority Languages in the Netherlands. This document is a response to these recommendations. The Seventh Report will outline the current situation in the Netherlands regarding the languages recognised under the Charter, and will also respond in detail to the recommendations made in the Sixth Evaluation Report of the Committee of Experts.

### *Recommendation 1: Continue to strengthen the teaching of and in Frisian at all levels of education*

The teaching of and in Frisian continues to be a focal point. Agreements on this are set out in the Administrative Agreement on the Frisian Language and Culture 2019-2023 (BFKT). Various efforts are currently aimed at strengthening the position of Frisian. First of all, the Taalplan Frysk ('Frisian Language Plan') plays a key role in raising the quality of Frisian as a school subject in the province of Fryslân. The ambitions of Taalplan Frysk 2030 are reflected in three principal objectives: a) all education sectors where Frisian is mandatory (primary and secondary education) will comply with all the attainment targets for Frisian by 2030 at the latest; b) they will do this through a continuous learning trajectory; c) the role of Frisian will also be strengthened in the education sectors where it is not a mandatory subject (early childhood education, secondary vocational education, higher education and special education). This requires decisive guidance by the provincial authorities.

In addition, the Inspectorate of Education published a special study in 2018 about the quality of Frisian in compulsory education (primary and secondary education). Over the next four years, during its four-yearly reviews of boards and schools in Fryslân, the Inspectorate will monitor developments in regard to Frisian. Specifically, it will ask school boards to account for their objectives and plans, for their approach to managing the quality of Frisian teaching, and the effects of their quality management efforts. In its verification assessments at schools, which are part of the four-yearly reviews, the Inspectorate will ask school leaders how they implement the board's policy on Frisian and what guidance the board provides in this. Depending on the outcomes, the Inspectorate may interview teachers and pupils about their experience of Frisian. If there are signs that the required standards are not being met, the Inspectorate will issue an order to rectify the situation. In 2025, the Inspectorate will start a new special study of the quality of Frisian teaching at schools in Fryslân.

There is a plentiful supply of in-service training available, much of which is provided free of charge under provincial grant schemes. Schools are facilitated as much as possible to take advantage of in-service training for their teachers, in order to enhance their fluency in Frisian and boost their understanding of multilingualism and children's literature in Frisian. Central government, too, is seeking to focus explicitly on Frisian through a range of grant schemes. For instance, the regional consortium of Frisian educational and language organisations in the province was informed about the Regional Strategy for Staff Shortages and was also advised to include the shortage of Frisian teachers in its action plan.

In university education, Frisian is offered as part of the Minorities and Multilingualism programme, as agreed in the BFTK. The course in Frisian Language and Culture was expanded to make it future-proof and therefore more viable. This also creates opportunities to address issues of political and cultural relevance, making the course more attractive to students and improving their career prospects after they graduate. Initially, the Ministry of Education, Culture and Science made startup funding available for a five-year period (up to 2018). Subsequently, under the provisions of the BFTK 2019-2023, besides funding from the Ministry of Education, Culture and Science, the University of Groningen will annually receive €110,000 from the Ministry of the Interior and Kingdom Relations and the same amount from the province of Fryslân for the duration of the administrative agreement, to maintain the chair in Frisian language and literature.

### *Recommendation 2: Adopt a structured policy for the implementation of the Charter for Romanes and Yiddish, in cooperation with the speakers*



In their on-the-spot visit to the Netherlands in November 2019, the Committee of Experts met with speakers of Yiddish and Romanes and with the Dutch authorities. In its consultations with the Dutch authorities, the Committee commented on the closed character of the Yiddish-speaking and Romanes-speaking communities, in relation to applying the European Charter to these languages. Like Limburgish and Low Saxon, Yiddish and Romanes are recognised under Part II of the Charter. Yiddish and Romanes are recognised in the Netherlands as non-territorial languages. During the consultations held in November 2019 between the Committee of Experts and the Yiddish-speaking and Romanes-speaking communities, it transpired that the speakers of these languages do not have a sense of connection to a specific local authority and that, as a result, they lack a direct point of contact. Following these consultations, the Committee proposed referring the speakers of these languages to the appropriate contact point within the Ministry of the Interior and Kingdom Relations. The Dutch authorities accepted this proposal, and Yiddish and Romanes speakers and representatives are welcome to contact the Ministry.

*Recommendation 3: Further develop the teaching of Limburgish and Low Saxon as regular school subjects and extend the offer of education in these languages, including at preschool level*

In the Sixth Report from the Netherlands, reference has already been made to the scope provided in education legislation for teaching in Limburgish and Low Saxon in primary and secondary education. During the second regional language symposium, held on 6 November 2019, the covenant on Limburgish was signed by the Minister of the Interior and Kingdom Relations and the province of Limburg. A year previously, the covenant on Low Saxon had been concluded with the local Low Saxon authorities. Both covenants emphasise once again the opportunities within education for using Limburgish and Low Saxon. Efforts to improve the image of these languages should also lead to greater use of Limburgish and Low Saxon in childcare and education. In partnership with the other signatories to the covenants, and within the scope of the current legislation, the Netherlands will be taking steps to this end. The next report will elaborate further on this.