

SEVENTH EVALUATION REPORT ON GERMANY

Committee of Experts
of the European Charter
for Regional or Minority
Languages



Adopted on 15 June 2022

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 Germany in 1999 and applies to the following languages: Danish, Upper Sorbian, Lower Sorbian, North Frisian, Sater Frisian, Low German and Romani.

The German authorities have continued to take legal and practical measures promoting the use of regional or minority languages in the fields covered by the Charter. The acceptance of additional Part III undertakings with regard to Danish, North Frisian and Low German in the *Land* Schleswig-Holstein is a step to be especially commended and which shows a dynamic approach to the Charter.

However, the implementation of the undertakings meets in some respects with difficulties. A more pro-active, structured approach and more decisive measures are needed. The position of most regional or minority languages in education has to be strengthened in practice, bearing in mind also the negative effects of the Covid-19 pandemic. In particular, the number of hours dedicated to the regional or minority languages, including at pre-school level, needs to be increased. Ensuring a sufficient number of adequately trained teachers for regional or minority languages education remains the main challenge, despite the steps taken by the authorities, and is the most important obstacle in further development of regional or minority languages education.

Regional or minority languages are hardly used before courts. In the administration, most regional or minority languages are rarely used in practice. Bilingual signage is, however, increasingly present and it is an important measure to increase the visibility and prestige of regional or minority languages.

The duration and periodicity of programmes or other contributions in regional or minority languages in the media remain too low to make an effective contribution to the promotion of these languages.

There are numerous and diverse cultural activities in regional or minority languages. Efforts have been made also to facilitate use of regional or minority languages in social care, in particular in retirement homes, but further steps are needed to ensure such use.

This report is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Germany in March 2022.

Chapter 1 The situation of the regional or minority languages in Germany – 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 regional or 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. Germany signed the Charter in 1992 and ratified it in 1998. The Charter entered into force in Germany on 1 January 1999 and applies to the following languages: Danish, Upper Sorbian, Lower Sorbian, North Frisian, Sater Frisian, Low German and Romani.

2. Article 15 (1) of the Charter requires States Parties to submit three-yearly reports¹ about the implementation of the Charter. The German authorities submitted their seventh periodical report on 27 July 2021. This seventh evaluation report of the Committee of Experts is based on the information contained in the periodical report, additional information received from the authorities and statements made by representatives of the speakers of the minority languages during the on-the-spot visit (28 March – 1 April 2022).

3. Chapter 1 of this evaluation report focuses on the general developments and trends regarding the regional or minority languages in Germany and the situation of these languages. It examines in particular the measures taken by the German authorities to respond to the recommendations made by the Committee of Experts and the Committee of Ministers at the end of the sixth monitoring cycle and also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each undertaking of Germany in respect of the given language as well as the recommendations addressed to the German authorities. 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 Germany, 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 Germany (ECRML (2014) 6)**.²

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 Germany in March 2022. This evaluation report was adopted by the Committee of Experts on 15 June 2022. It was made public on 15 September 2022.

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

6. On 6 January 2021, Germany notified the Council of Europe that it has accepted additional Part III undertakings with regard to Danish, North Frisian and Low German in the *Land* Schleswig-Holstein. These cover the fields of administration and culture and are as follows: Article 10.1.c, 10.2.g and 12.1.a,b for Danish, 10.1.c for North Frisian and 10.2.g, 12.1.e for Low German. The Committee of Experts commends the authorities for this step and reminds states parties to regularly review their commitments under the Charter in order to reflect developments in the situation of the regional or minority languages and to set medium- and long-term improvement targets.

7. The Committee of Experts notes that, according to the information in the periodical report and received during the on-the-spot visit, *Land* Brandenburg is considering additional commitments under the Charter. This is linked to the adoption by the *Land* parliament in March 2021 of a motion on a multilingualism strategy and the further strengthening of the regional or minority languages in Brandenburg, which also calls on the government to consider further commitments under the Charter. The Committee of Experts was informed that regional or minority language speakers in the Free State of Saxony and Lower Saxony are also interested in additional commitments under the Charter in the respective *Länder*. The Committee of Experts welcomes these initiatives and looks forward to further developments in Germany in this respect.

¹ Since 1 July 2019, new rules apply according to the Committee of Ministers decisions adopted on 28 November 2018 on the strengthening of 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 on 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.

² <https://rm.coe.int/16806d8829>.

8. In general, regional or minority languages receive regular attention from the authorities, both at *Land* and at federal level. They are integrated into or subject to legal and policy documents, and reference to the Charter is often made in such contexts. For example, Schleswig-Holstein adopted in November 2020 a new Language Policy Action Plan, focused on education, media and regional or minority languages as added value in different fields. In 2019 the Free State of Saxony adopted its Second Plan of Measures to Encourage and Revive the Use of the Sorbian Language and in 2020 launched a campaign to further raise awareness about Upper Sorbian (named “Sorbian? Of course!”). In 2018, the biennial prize *Mina Witkojc* has been established by *Land* Brandenburg for commitment to the Lower Sorbian language. A new position of scientific commissioner for Sater Frisian was set up, temporarily, in Lower Saxony. New or amendments to existing legal provisions or regulations have been adopted in Schleswig-Holstein, Brandenburg, Lower Saxony, North Rhine-Westphalia. A new NDR (*Norddeutscher Rundfunk*) broadcasting agreement between the *Länder* Hamburg, Mecklenburg-Western Pomerania, Lower Saxony and Schleswig-Holstein entered into force in 2021, and a stronger emphasis on the regional or minority languages is included. These will be addressed in more detail further below.

9. The German *Länder* have the main competence for the implementation of the Charter, but the federal authorities maintain responsibilities, have a co-ordinating role and also provide funding, sometimes together with the *Länder*, to institutions or projects promoting regional or minority languages. It is the case, for example, of the fourth funding agreement of the Foundation for the Sorbian People for 2021-2025 (an increase to approximately 24 million euros/year), where funding is provided by the federal government (1/2), the Free State of Saxony (1/3) and *Land* Brandenburg (1/6). The 2020 Structural Reinforcement Act for Mining Regions foresees that the Federal Government supports measures promoting the language, culture and traditions of the Sorbian people. The Federal Government Commissioner for Culture and Media provides, together with the *Land* Schleswig-Holstein, funding to the newly set up Foundation for the Frisian Ethnic Group in *Land* Schleswig-Holstein *Friisk Stifting*. The Federal Ministry of the Interior and Community provides funding to the Secretariat for Low German and the Secretariat for Minorities, as well as funding for some projects of the Institute for Low German. The Federal Government Commissioner for Culture and Media also provides funding to projects on Low German. In addition, at federal level, implementation conferences for the Charter continue to be organised, in recent years with the participation of the Federal Commissioner for Matters related to German Resettlers and National Minorities. A brochure about the national minorities and regional or minority languages in Germany is regularly updated and published in German (most recently in 2021) and English (foreseen in 2022).

10. In addition, in the *Länder*, there is a network of institutions and associations active in the promotion of regional or minority languages and many receive funding from different authorities for their activities.

11. In order to raise awareness throughout the country about the regional or minority languages as an integral part of Germany’s cultural heritage, a travelling exhibition about the national minorities in Germany and Low German speakers opened in spring 2022. Moreover, there is an initiative from the national minorities and the Low German speakers to include information about national minorities and Low German in the curricula of schools throughout the country. This was discussed at the 2021 implementation conference. It is a commendable measure, and the Committee of Experts looks forward to further developments in this respect. In the meantime, the above-mentioned brochure about the national minorities and Low German could be distributed to schools, which could integrate it in some activities, as well as to German representations in other countries, in order to reflect this topic in the cultural policy abroad.

12. Despite this overall positive framework and interest in the regional or minority languages, the Committee of Experts notes that, in practice, the implementation of the Charter and the further development of the use of regional or minority languages in different fields meets with difficulties. As indicated in the report, in some cases, there are little or no developments, while in others steps back could be noticed. A more proactive, structured approach and more decisive measures are needed, in particular for the less widely used languages.

Use of the regional or minority languages in education

13. In the previous monitoring cycle, the Committee of Ministers recommended that the German authorities **strengthen the educational offer for Lower Sorbian, North Frisian, Sater Frisian, Low German and Romani** and to **ensure that a sufficient number of adequately trained teachers for regional or minority language education is available**.

14. Different models of education apply to the regional or minority languages in Germany. There is education in Danish and some bilingual education in German and Upper and Lower Sorbian. Immersion teaching (using the language for teaching fully or bilingually subjects) may be used for North Frisian, Sater Frisian and Low German, but it rarely happens in practice. In some cases, regional or minority languages are taught as subject and an integral part of the curriculum. In other cases, voluntary study groups (*Arbeitsgemeinschaften*), sometimes in the afternoon, are widespread. Teaching the language also often takes place for one or two hours per week, while in some cases it reaches three-four hours per week, usually in secondary education. The Committee of Experts recalls that regional or minority languages should be taught at least three hours per week in primary and secondary education, in particular if the language is not a well-established language with a strong speaker community.³ Regional or minority languages should also be taught as an integral part of the curriculum. At kindergarten level, according to the Charter provisions, at least a substantial part of pre-school education should be provided in the regional or minority language; this implies that it has to be used for at least half of the activities that the children carry out at kindergarten.⁴

15. Overall, the *Länder* continued to take measures to promote regional or minority languages in education. It is the case, for example, of Schleswig-Holstein, which issued in 2019 a new Act on the Promotion of Children in Kindergartens and Child Day Care containing provisions about promotion of regional or minority languages; the *Land* also provides subsidies for this purpose to pre-school institutions. The 2020 Language Policy Action Plan foresees *inter alia* measures to increase the attractiveness of Low German and North Frisian teacher training. After 2020 amendments to the ordinance on appointments for teacher training, a successfully completed certificate course in Frisian is considered a bonus when awarding a traineeship place. Lower Saxony renewed its decree on “The Region and Low German and Sater Frisian in Education” and extended the existing provisions to upper secondary education (second level of secondary education). Textbooks have been developed, for example for North Frisian and Low German.

16. In practice, however, the Committee of Experts notices a deterioration for North Frisian and Sater Frisian in education, with the number of schools with an offer for these languages having decreased, mainly due to lack of teachers. During the on-the-spot visit the Committee of Experts was informed that the situation of Low German in Hamburg and Bremen has not improved and has even deteriorated.

17. The provision of a sufficient number of teachers for regional or minority language education has become a key problem for regional or minority language education.⁵ The authorities have been taking various measures trying to address this issue, but with little or no effect. The lack of teachers has already affected the achievements reached so far and is preventing the further development of regional or minority language education. Immediate measures need be put in place to ensure a sufficient number of trained teachers for regional or minority language education.

18. Teaching about the national minorities, the regional or minority languages in Germany, and the history and the cultures they represent is, to some extent, part of the curricula in the *Länder* where the speakers live. Moreover, in Schleswig-Holstein the importance of the regional or minority language history and culture has to be included in teacher training; teaching regional or minority languages and imparting knowledge about the related cultures is also an objective of further education with regard to cultural education. However, the implementation is not always consistent. As mentioned above, the initiative to teach about national minorities and Low German throughout Germany is a commendable step, which can further contribute to raise awareness about regional or minority languages in the country, also in the sense of Article 7.3.

19. As regards the monitoring of regional or minority language education, the current mechanisms do not meet the requirements of the Charter undertaking. However, in Lower Saxony a body composed of representatives of the authorities, regional associations (*Landschaften*, *Landschaftsverbände*) and the Lower Saxony Heritage Association (*Niedersächsischer Heimatbund*) discusses annual reports by the school authority on regional or minority language education and can make proposals on the further implementation of the Charter undertakings. This could lead to the fulfilment of Article 8.1.i, should the supervision concern the aspects described below and be reflected in a public report. The Committee of Experts reiterates that the Charter requires a mechanism that monitors progress achieved in regional or minority language education and

³ See 6th report of the Committee of Experts on the application of the Charter in Germany, CM(2018)142, para.13.

⁴ See 5th report of the Committee of Experts on the application of the Charter by Slovenia, MIN-LANG (2019) 17final, para. 49, 5th report of the Committee of Experts on the application of the Charter by Slovakia, CM(2019)126, para. 57.

⁵ See also 6th report of the Committee of Experts on the application of the Charter in Germany, CM(2018)142, para.12.

publishes periodical reports.⁶ The Committee of Experts considers that such monitoring should evaluate and analyse the measures taken and the progress achieved regarding regional or minority language education, with the purpose to identify effective methods, and areas where additional efforts are needed. Reports should contain *inter alia*, information on the extent and availability of education, developments in language proficiency, teacher supply and the provision of teaching materials. They should be regular in order to provide an assessment of regional or minority language education over time, thereby making it possible to adjust methods and measures according to the experiences acquired. The publication of the reports makes the system transparent and creates opportunities for representatives of regional or minority language speakers and civil society to take part in a public discussion on the development of minority language education, based on the measures taken and progress achieved. It is possible for existing supervisory bodies to carry out these monitoring functions and integrate them into existing administrative structures.

Use of the regional or minority languages by judicial authorities

20. The information received by the Committee of Experts both from the authorities and the regional or minority language speakers indicates that it is possible to use regional or minority languages in relations with judicial authorities. The legal basis is the right to a fair trial derived from the Constitution as well as from the German Code of Civil Procedure (Article 142.3), according to which the court may, at its discretion, "order a translation for documents drafted in a foreign language" (whereby the codes of procedure of the other branches of court also refer to Article 142 of the Code of Civil Procedure).⁷ Specific provisions exist only for Upper and Lower Sorbian - Article 184 of the Act on the Organisation of Courts (*Gerichtsverfassungsgesetz*) and *Land* legislation - as well as for North Frisian - Frisian Act of *Land* Schleswig-Holstein. In practice, however, regional or minority languages are hardly used before courts. While Upper Sorbian is sometimes used, this is rare for Low German and never happens in practice for North Frisian or Sater Frisian.

21. In recent years, cases have been brought to the attention of the Committee of Experts of documents in regional or minority languages not accepted before courts. The authorities have immediately taken measures to identify and prevent such future cases. This shows an interpretation of the above-mentioned provisions in the sense of the Charter undertakings. However, bearing in mind the reference to "foreign language" – which is not sufficient, from the Charter's perspective, to cover regional or minority languages, the narrow application intended for Article 142.3, the fact that the Charter provisions may also refer to oral use of regional or minority languages (for example, evidence), as well as the lack of practice, the Committee of Experts believes that a clear legal basis should be provided for the use of regional or minority languages before courts.

22. According to the periodical report and the information received during the on-the-spot visit, an amendment to Article 184 of the Act on the Organisation of the Courts is foreseen. This guarantees "the right of the Sorbs to speak Sorbian before court in the home districts of the Sorbian population". The Committee of Experts was informed that a similar provision would be added for the other regional or minority languages. In this context, the Committee of Experts encourages the authorities to ensure that the new text provides a clear and sufficient legal basis for the use of regional or minority language in accordance with the undertakings ratified.⁸

23. The Committee of Experts also recalls that the Charter provisions apply also to courts which are not necessarily in the area where the regional or minority languages are spoken, but which have a jurisdiction for that area.

24. Finally, the authorities should take a pro-active approach, by regularly informing about the possibility to use regional or minority languages before courts and ensuring that the necessary translators/interpreters are available.

⁶ See 3rd report of the Committee of Experts on the application of the Charter in Poland, MIN-LANG (2021) 15, para. 40, 6th report of the Committee of Experts in respect of Germany, CM(2018)142, para. 15, 5th report of the Committee of Experts on the application of the Charter by Slovenia, MIN-LANG (2019) 17final Slovenia, para. 23.

⁷ See 1st periodical report of Germany, MIN-LANG/PR (2000) 1, p. 44-45; for the administrative court procedure and in the context of North Frisian, the current periodical also refers to the so-called "principle of official investigation" (*Amtsermittlungsgesetz*), according to which "administrative courts are obliged to conduct *ex officio* investigations and, where necessary and appropriate, will on their own initiative rely on the services of interpreters", see 7th periodical report of Germany, MIN-LANG(2021) PR 4, p. 188,

⁸ See 1st report of the Committee of Experts on the application of the Charter by Germany, ECRML (2002) 1, para. 46.

Use of the regional or minority languages by administrative authorities

25. In the previous monitoring cycle, the Committee of Ministers recommended that the German authorities **strengthen the use of regional or minority languages in dealings with the administration in practice.**

26. While the situation varies depending on the undertakings chosen and the regional or minority language concerned, with the exception of Upper Sorbian, the other languages are not consistently used in the administrative field. Regional or minority languages are rather used at the level of the local authorities, and orally. The use by authorities, including for drafting documents, remains rare.

27. Some *Länder* continued to adopt measures in order to facilitate the use of regional or minority languages in various areas of the administration. In 2018 the Schleswig-Holstein Administration Act was amended and the possibility to submit applications and documents in Danish to the administrative authorities has been extended to the urban district of Kiel. Based on a 2019 decree of the *Land* minister of finance, employees in tax offices speaking Danish, North Frisian or Low German have stickers indicating their language skills on their office doors. At the State Chancellery, the language skills of the employees, including regional or minority languages, are recorded. Training institutions for the public service also plan to address the use of regional or minority languages.

28. In October 2018 the Act on the Rights of Sorbs/Wends of Brandenburg was amended and the obligation to appoint full-time commissioners for Sorbian/Wendish affairs in the rural districts of Dahme-Spreewald, Oberspreewald-Lausitz, Spree-Neiße/Sprjewja-Nysa and the urban district of Cottbus/Chóšebuz was introduced. These posts are financed by the *Land*.

29. A decree allowing for the use of additional Low German place names on road signs entered into force in Brandenburg in February 2020. This became also possible in Saxony-Anhalt and Mecklenburg-Western Pomerania. The Committee of Experts welcomes these measures.

30. In general bilingual signage is widespread in the area where the regional or minority languages are used, and it is an important measure increasing the visibility and prestige of a minority language, raising awareness among the majority population and maintaining the linguistic heritage. In this context, the Committee of Experts recalls that the name in the minority language should not be in a smaller size than the name in German.⁹

31. According to the Online Access Act, all federal, *Land* and local authorities should offer administrative services also online by the end of 2022. The inclusion of regional or minority languages in this process was discussed during the 2021 implementation conference. However, initially, online services are to be made available only in German, with the possibility to add other languages later. It does not seem such services are offered for the moment in the regional or minority languages, except for Lower and Upper Sorbian. It should be noted that *Land* Brandenburg included already in its Act on E-Government, in force since November 2018, a provision according to which e-government services must be provided in such a manner that the rights foreseen by the Act on the Rights of Sorbs/Wends concerning the use of Lower Sorbian in administration are guaranteed. In relation to this, in 2020 - 2021 a co-ordination and translation unit was set up, as part of a project, in order to translate forms and explanations into Lower Sorbian and upload them online. The Free State of Saxony is also extending the possibility to use Upper Sorbian for e-government services. *Land* Schleswig-Holstein is taking steps to take regional or minority languages into account when implementing the Online Access Act, while Lower Saxony intends to do so in the future, depending on technical requirements and availability of translations. The Committee of Experts underlines that the undertakings of the Charter ratified with respect to the use of regional or minority languages in the administrative fields should also be implemented online when these services are available for the official language.

Use of the regional or minority languages in the media

32. In the previous monitoring cycle, the Committee of Ministers recommended that the German authorities **take measures to extend television broadcasting in regional or minority languages.**

33. There is overall little progress with respect to the presence of regional or minority languages in the media. In general, broadcasting media continues to report about regional or minority languages and their speakers. However, when it comes to the use of regional or minority languages, these are present on the radio more than on television, but in both cases the duration and periodicity of contributions or programmes are not

⁹ See, for example, the fifth report of the Committee of Experts in respect of the Slovak Republic, CM(2019)126, para. 33.

sufficient to meet the requirements of the Charter and make an effective contribution to the promotion of these languages. The Committee of Experts recalls that, in light of developments in the field of broadcast media, it has interpreted in a flexible manner Articles 11.1. b and c in particular so as not to exclude public service broadcasting from its ambit.¹⁰

34. However, the Committee of Experts notes that the new NDR broadcasting agreement between the *Länder* Hamburg, Mecklenburg-Western Pomerania, Lower Saxony and Schleswig-Holstein, in force as of 2021, provides that regional or minority languages are to be “regularly and appropriately” taken into account.¹¹ In spring 2022, NDR informed about its future offer in Danish, North Frisian and Low German in light of this provision.¹² The Committee of Experts welcomes these initiatives. However, it emphasises that programmes in the respective regional or minority languages should be of a sufficient duration and frequency. If the programmes are too short, e.g. a few minutes or at too long intervals, e.g. once per month, they will not have an impact on the promotion of the language. The Committee of Experts regrets that there is still no offer planned for Sater Frisian, which should also be covered by the respective provision in the broadcasting agreement, as a minority language in Lower Saxony.

35. The Committee of Experts also notes that, except the public media, many of the broadcasts in regional or minority languages are produced by volunteers (“community media”, “open channels”), which often do not benefit from sufficient financial support.

36. There is also not a sufficient presence of regional or minority languages in the written media. In line with its standard interpretation, the Committee of Experts reiterates that in order to be considered as a newspaper, a publication has to be issued at least weekly;¹³ this applies also to newspaper articles.

37. The authorities refer in several instance to the limited possibility to influence the media offer in regional or minority languages, due to the independence of the media. The Committee of Experts reiterates its view that promoting minority language broadcasting through financial incentives or licensing requirements would not infringe the independence of the media.¹⁴

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

38. Institutions or associations of regional or minority language speakers provide for a diverse and rich offer of cultural activities in regional or minority languages, with financial support from the authorities.

39. The Committee of Experts recalls that regional or minority languages and the cultures they reflect need to be included when presenting Germany’s culture and heritage abroad. Some *Länder* continue to make provision for regional or minority languages in their international activities, but this is not consistently the case. Moreover, this is an undertaking that needs to be implemented first and foremost at federal level. Therefore the Committee of Experts reiterates that German federal institutions responsible for the cultural policy abroad need to make appropriate provisions for the regional or minority languages in Germany. It recalls that the brochure about the national minorities and Low German could be distributed by German embassies or other German institutions abroad as part of their activities presenting Germany abroad (see also paragraph 11 above).¹⁵

Use of the regional or minority languages in social and economic life

40. The use of regional or minority languages in social care facilities, in particular retirement homes, needs particular attention. Brochures have been developed to promote the use of Low German and some vocational schools training care staff have included Low German in their offer. The *Länder* Centre for Low German also works on raising awareness of the importance of using Low German in social care facilities and provides practical information, advice and training possibilities. An activity book in Low German for work in retirement homes has also been developed. However, a more structured approach is still needed in this respect.

¹⁰ See 3rd report of the Committee of Experts on the application of the Charter by Germany, ECRML (2008) 4, para. 17.

¹¹ “*Norddeutschland und die Vielfalt seiner Regionen, ihre Kultur sowie ihre Regional- und Minderheitensprachen sind in den Angeboten des NDR regelmäßig und angemessen zu berücksichtigen. Der NDR soll zu diesem Zweck und zur Erhaltung kultureller Identität sein Angebot grundsätzlich in den vier Ländern seines Sendegebiets herstellen.*”

¹² [NDR erweitert sein Angebot in den Regionalsprachen Dänisch, Friesisch und Niederdeutsch | NDR.de - Der NDR - Presse - Mitteilungen](https://www.ndr.de/Presse/Mitteilungen)

¹³ See 1st Report of the Committee of Experts in respect of Serbia, ECRML(2009)2, para. 267, 2nd Report of the Committee of Experts in respect of the Slovak Republic, ECRML(2009)8, para. 136, 2nd report on Armenia, ECRML (2009) 6, para. 186.

¹⁴ See, for example, 4th report of the Committee of Experts on the application of the Charter in Germany, ECRML (2011) 2, para. 79.

¹⁵ See also 6th report of the Committee of Experts in respect of Germany, CM(2018)142, para. 15.

41. The Committee of Experts reiterates that the current undertaking requires authorities to *ensure* that regional or minority languages are used in these establishments, which can only be achieved by a bilingual human resources policy. It is possible for the authorities to take further measures such as regulations, or facilities and incentives for the existing social care personnel to improve their language skills.¹⁶

Use of regional or minority languages during the Covid-19 pandemic

42. The offer for regional or minority languages in education has been negatively affected by the measures taken in response to the Covid-19 pandemic. According to the information received during the on-the-spot visit, voluntary study groups for regional or minority language teaching, which sometimes brought together pupils from more classes, were no longer organised. Teachers could no longer teach in more than one class, in order to comply with the sanitary regulations for the functioning of schools. During the on-the-spot visit the Committee of Experts was also informed that it is very difficult to have an overview of regional or minority language education in practice after the pandemic.

43. As far as the cultural field is concerned, many activities had to be cancelled or postponed. However, others have been offered in digital format.

44. According to the information available to the Committee of Experts, during the Covid-19 pandemic health related information has been provided in Danish, by two hospitals, and Low German.

1.2 The situation of the individual regional or minority languages in Germany

45. Education in **Danish** is available at pre-school, primary and secondary levels, through the private Danish minority schools (Danish Schools Association for South Schleswig/*Dansk Skoleforening for Sydslesvig e.V.*). These receive funding from the *Land* Schleswig-Holstein. Outside this system, in public schools in the *Land*, Danish is taught as a foreign language, at the earliest as of the 7th grade, for three to four hours per week and may be chosen as a subject for the final exam. In order to strengthen this offer, in the 2020/2021 school year a pilot project began at seven primary schools, where Danish is offered starting with the first grade. Danish is also taught in vocational education, from two to five hours per week, depending on the profile of the school. Danish language courses are offered as part of adult education. They benefit from the provisions of the *Land* legislation and programmes for further training: they may be co-financed by the authorities (“training bonus”) and educational leave may be granted to attend such courses. The department for adult education of the Danish Schools Association for South Schleswig offers courses on several topics in Danish. The history and culture reflected by Danish are part of the syllabi for Danish, history, geography and basic science at the Danish minority schools. At public schools, the subject-specific requirements and guidelines for history, geography and Danish, in particular for secondary level, set up a framework for teachers to address this topic. The subject-specific requirements for history and economics/civic education in force in the previous monitoring cycle and which did not address the Danish minority have been suspended and new ones will be developed. The Committee of Experts notes that, according to the Danish minority, the new proposals do not adequately ensure the provision of information about national minorities. At present, the guidelines for history teaching address the German-Danish history in the region and a perspective on the German-Danish border region as a model. As for Danish, one textbook is being revised and one drawn up and this will include a chapter on the Danish minority. Basic and further training of teachers is provided. Danish is part of Scandinavian studies (at the university in Kiel) and of teacher training programmes (at universities in Kiel and Flensburg). Further training for teachers is organised by the Institute for Quality Development in Schools in Schleswig-Holstein. Research is carried out at the universities in Kiel and Flensburg.

46. There is no specific legal basis allowing documents and evidence to be submitted in Danish before courts. The Committee of Experts has also no information about the practice of using Danish before courts. After 2018 amendments to the Schleswig-Holstein Administration Act, the possibility to submit applications and documents in Danish to the administrative authorities has been extended to the urban district of Kiel, in addition to the already existing areas of the urban district of Flensburg, the districts of Nordfriesland, Schleswig-Flensburg and Rendsburg-Eckernförde. Any translation costs are borne by the authorities. In practice, the submission of documents in Danish to *Land* authorities is very rare. Except the election information, it is unclear whether *Land* authorities draft documents in Danish. Place names in Danish are used in signage.

¹⁶ See, for example, 4th report on the application of the Charter in Germany, ECRML (2011) 2, para.181.

47. Danish has still an insufficient presence in the media. On radio, news produced by the Danish publishing house *Flensburg Avis* continue to be broadcast daily by Radio Schleswig-Holstein; in addition, the periodical report refers also to news or announcements on *Syltfunk-Sölring Radio/Antenne Sylt*, or to contributions on a newly licenced radio station in Flensburg. However, the duration and frequency of such news, announcements or contributions is not clear. Moreover, although they might lead to some presence of Danish on the radio, it does not appear that they amount, in view of the Committee of Experts, to radio programmes in Danish. On television, Danish is used in the programmes of the public broadcaster NDR, in particular in its studio in Flensburg, mainly during interviews, since correspondents speak Danish and encourage participants who speak it to use this language. The pilot of a new programme in German and Danish covering the border region and produced in co-operation with *TV SYD* (Denmark) was broadcast in spring 2022. The programme - *Grænzelos*, 25 minutes - is part of the new NDR offer and it is supposed to be broadcast every eight weeks. The Committee of Experts welcomes this new programme and encourages its further development, in terms of frequency and duration. Otherwise, on the Open Channel Flensburg, there are broadcasts in Danish, produced by *DKsyd Sønderburg Lokal TV* in Denmark.¹⁷ The Committee of Experts received no information about audio-visual works in Danish. There is a network of cultural institutions and a rich cultural offer in Danish. The Danish organisation, *Sydslesvigsk Forening* receives institutional funding from the *Land*. Institutional funding is also provided to the Danish Central Library in Flensburg. 2020 was the German-Danish Cultural Year of Friendship, although it could not be fully organised as planned because of the Covid-19 pandemic. Danish is used in nursing or residential homes, as well as home health care services which are managed by the Danish Health Care Service for South Schleswig, which receives some subsidies by the *Land*. Two hospitals in Flensburg and the clinics in Schleswig and Damp offer the possibility for patients to use Danish. At other three hospitals in the district of Nordfriesland this possibility also exists to some extent. However, the authorities indicate that they cannot interfere in the way hospitals deal with this matter, other than by making recommendations. The Committee of Experts refers to its view expressed above (paragraph 41).

48. At pre-school level, education in **Upper Sorbian** is provided by the *Witaj* kindergartens or groups (immersion, one teacher – one language) and is the main offer at this level. In primary and secondary education, most pupils are taught in the framework of the *2plus model*, where, in addition to increased teaching of the language, some subjects are taught bilingually (three subjects in primary school and five as of the fifth grade). According to the speakers, however, there are significant differences between groups at different schools. Other pupils only study Upper Sorbian as a subject. The Committee of Experts was informed that an evaluation of the schools offering the *2plus model* is planned to start in the 2022/2023 school year. Among other topics, the language competence of pupils in the 8th grade will be assessed. The Committee of Experts refers to its position concerning the supervision of minority language education (see paragraph 19 above) and looks forward to receiving such information in the next periodical report. It would also welcome more concrete information on which subjects, in which grades and in which schools are actually taught bilingually in practice and what share this represents in the total number of lessons per week. The provision of a sufficient number of teachers continues to give rise to serious concerns, despite the various measures taken by the authorities (recruitment agreement, bonus for university admission,¹⁸ recruitment of higher education graduates in specialisations other than teacher education, but with knowledge of Upper Sorbian¹⁹). Basic and further training of teachers continues to be provided, at the University of Leipzig and by the State Office for Schools and Education. While at the moment more students than previously are enrolled in teacher training, it remains unclear how many would actually pursue this career on the medium and long term. In August 2019, a Sorbian language school opened at the State Office for Schools and Education in Bautzen/Budyšin and language courses are open to teachers, together with staff responsible for school affairs. All schools in Saxony should teach at a basic level the Sorbian history and culture. The Committee of Experts has, however, been informed that this is not always happening in practice.

49. The use of Upper Sorbian before courts is based on the second sentence of Article 184 of the Act on the Organisation of Courts and Article 9.2 of the Law on the Rights of the Sorbs in the Free State of Saxony. Upper Sorbian is only occasionally used in practice before courts. Sorbian-speaking staff or interpreters are available if anyone decides to use the language. As far as the administration is concerned, Upper Sorbian is more consistently used, in particular at the level of local authorities. The authorities of Saxony have taken measures to further strengthen the use of Upper Sorbian. In addition to the awareness raising campaign and the second plan of measures (see paragraph 8 above), further training on Sorbian-related topics is available

¹⁷ See <https://www.oksh.de/fl/sehen/programm/#tag2>.

¹⁸ See also 6th report of the Committee of Experts in respect of Germany, CM(2018)142, para. 27.

¹⁹ *Seiteneinsteiger*.

to civil servants from both local and *Land* administration. In 2019, the *Land* initiated a programme under which it provides grants (lump sum) to all municipalities in the Sorbian settlement area to cover additional costs related to bilingualism and also funds a central service assisting municipalities in the practical aspects of bilingualism, use of Sorbian in public life and overall promotion of Sorbian culture. If Upper Sorbian language skills are needed for the performance of official duties, this criterion is included in vacancy notices. The Committee of Experts was informed that bilingualism is gradually being strengthened, although some shortcomings remain at the level of the local branches of *Land* and federal authorities. Although these display sometimes bilingual signs or stickers, it is not clear to which extent they also use Upper Sorbian. The Committee of Experts noted as far as place name signs are concerned, that the font size used for the name in Upper Sorbian is in many cases smaller than the one in German. It was informed that on new signs, which gradually replace older ones, names in both languages are in equal size. Upper Sorbian place names on motorways are still not displayed. There have been no legal changes allowing the use of feminine form of Sorbian surnames as a legal name. Nevertheless, the Committee of Experts was informed that amendments in this respect are foreseen, as part of a wider reform of the German legislation on names.

50. Radio programmes in Upper Sorbian are broadcast by the public broadcaster MDR (*Mitteldeutscher Rundfunk*), for four hours/day, an increase of one hour per day compared to the previous monitoring cycle. There has been, however, no progress on television, where one monthly programme of 30 minutes is broadcast also by MDR. Since 2021 one Sorbian representative is a member of the Broadcasting Board of MDR. Various cultural activities take place, although they have been heavily affected by the Covid-19 pandemic. This has also led to an increase in the offer of digital materials. The Committee of Experts was informed that, among the social care facilities, only one has an official Sorbian speaking policy. Actors in the private sector (such as banks) provide some information bilingually.

51. At pre-school level, education in **Lower Sorbian** or bilingually continues to be offered by *Witaj* kindergartens or groups (full or partial immersion, one teacher - one language). Some kindergartens also have a Lower Sorbian offer, outside the *Witaj* model. The *Land* authorities, as well as one district, provide financial support to the institutions with a Lower Sorbian offer at pre-school level. According to the periodical report, the lack of staff prevents further developments for Lower Sorbian. However, there is an interest from kindergartens, which send their staff to language courses. Twenty-one schools offer Lower Sorbian at primary level and four schools at secondary level. In general, Lower Sorbian continues to be taught on a voluntary basis, with the exception of the Lower Sorbian grammar school (*Niedersorbisches Gymnasium*), where Lower Sorbian is a compulsory subject for all pupils (as a second foreign language). Out of these schools, seven schools provide teaching of some subjects bilingually at primary level and two at secondary level. The Committee of Experts was informed that, in practice, only a few subjects, generally sport or music, are taught bilingually. Both at primary and secondary levels, further development of the Lower Sorbian offer is prevented by the lack of teachers. As a solution, the authorities are currently exploring the possibilities of online teaching. In addition, one district provides scholarship for students training to become teachers, who have to commit to work for five years as a Lower Sorbian teacher. The Committee of Experts was also informed that the authorities are considering whether teacher training could be provided in Potsdam, instead of Leipzig, in the Free State of Saxony, as it has been the case so far. In order to address the problems in the provision of a sufficient number of teachers, since 2018, in-depth knowledge of Lower Sorbian facilitates access to teacher training courses. Lower Sorbian is also considered as a subject with special recruitment criteria and all graduates with a teaching qualification for Lower Sorbian have been hired. Since the 2020/2021 school year a pedagogy course was introduced at the Lower Sorbian grammar school, to raise awareness and interest in an education career. In 2021, Lower Sorbian language courses have been organised, both for pre-school teachers as well as for school teachers, for the latter in order to prepare them for a new in-service training course leading to a qualification for Lower Sorbian. In 2021 began the development of a Lower Sorbian language curriculum leading to a certificate for pre-school teachers co-ordinated between the relevant training institutions. Moreover, the *Land* Ministry of Education, Youth and Sport is preparing a new edition of the master course for teachers allowing them to acquire teaching qualifications for Lower Sorbian. As far as the teaching of history and culture is concerned, the Committee of Experts has been informed that guidelines for schools are being prepared on how to integrate this topic in different subjects in the fields of social sciences, arts and crafts. This will be followed by the development of teaching materials, including digital.

52. According to the authorities, the use of Lower Sorbian before courts is based on the second sentence of Article 184 of the Act on the Organisation of Courts and Article 8 of the Act on the Rights of the Sorbs/Wends in Brandenburg. However, the Committee of Experts notes that Article 8 does not refer to courts, while Article 184 explicitly refers to "the right to speak" before courts. On the other hand, according to the periodical report, a decree of the Brandenburg Ministry of Justice of 12 June 2018 informs courts about the right to "use" Lower

Sorbian. This indicates a wide interpretation of the legal provisions by the authorities, which can cover written documents. In light of this situation, the Committee of Experts asks for clarification of the question of whether written documents in Lower Sorbian may also be used before the Brandenburg courts. As far as the practice is concerned, according to the information provided to the Committee of Experts, Lower Sorbian is hardly ever used. However, the problem related to the submission of documents in Lower Sorbian reported in the previous monitoring cycle was immediately addressed by the *Land* Ministry of Justice, which also intends to regularly raise awareness of courts and public prosecutor offices of the rights to use Lower Sorbian. A flyer informing about the rights of Sorbs/Wends is also available in courts. After technical updates, the commercial register, the association register and several others allow entries using the Lower Sorbian character set. As regards the administration, the *Land* authorities continue to take measures to promote the use of Lower Sorbian. Nevertheless, in practice Lower Sorbian is not consistently used in oral and written application to authorities at all levels. Since 2020, full-time Commissioners for Sorbian/Wendish Affairs have been operational in all districts of the traditional settlement area. Bilingual e-mail signatures, letterheads and signs, as well as internet websites are increasingly used by *Land* and district authorities. The Brandenburg service portal, which was redesigned, supports the display of other languages, including Lower Sorbian. Language courses and courses on the legal framework pertaining to the rights of the Sorbs/Wends for civil servants are provided by the School for Lower Sorbian and Culture. Similar to municipalities, districts may also adopt bilingual names and the rural district Spree-Neiße/Sprjewja-Nysa was the first to do so, in 2020. A list of bilingual place names has been developed and added to the municipal register; steps are being taken to extend to use of bilingual place names in all contexts (e.g. the online map of the *Land* registry and geodata office, procurement portal). Since the winter of 2020, the VBB, the local transport operator for Berlin and Brandenburg, has been using Lower Sorbian names for the railway stations and timetables. The issues concerning the use of the feminine form of the Sorbian surnames concerns also Lower Sorbian speakers (see paragraph 49 above).

53. The public broadcaster RBB (*Rundfunk Berlin-Brandenburg*) broadcasts one hour in Lower Sorbian (with one repeat) during the week, and one hour thirty on weekends, on the radio, but only thirty minutes monthly on television. Since 2020, the radio programmes have been available via live stream and in 2021 a Sorbian RBB app was made available. RBB also produces some audio-visual works (songs) in Lower Sorbian. Production of audio-visual works is also facilitated through the funding from the Foundation of the Sorbian People. According to the periodical report, the lack of journalists is preventing further extending the programmes in Lower Sorbian. There is also one weekly newspaper, predominantly in Lower Sorbian. The Committee of Experts was informed that mainstream media does not address Sorbian issues beyond a folkloristic perspective. One newspaper allegedly also refuses to use bilingual place names.

54. Thanks to the funding through the Foundation of the Sorbian People, cultural activities and the functioning of cultural institutions are ensured. For some initiatives, additional funding is provided by the *Land* authorities. As far as economic and social life is concerned, bilingual information is provided to passengers by some companies. Tours in Lower Sorbian are also tested in Cottbus/Chóšebuz. Prizes for activities contributing to the preservation and development of Lower Sorbian are also awarded by the *Land*. An update of the Plan of measures for the strengthening of Lower Sorbian is also envisaged.

55. **North Frisian** is used at pre-school level and the time ranges vary depending on the kindergarten from 30 minutes per week, one-two hours per day or one day per week. There were 16 kindergartens offering North Frisian in January 2021.²⁰ North Frisian is further offered in 12 schools, including three of the Danish minority. Nine are primary schools, two offer up to lower secondary education and one upper secondary education. The number of hours and the models vary between schools. The teaching time is between 30 minutes and two hours per week, with four hours per week in the upper secondary education. Some schools offer voluntary study groups, combining two grades; in some, all pupils in the class participate and the lessons are part of the morning schedule, while in other cases, they are organised in the afternoon. In two primary schools bilingual teaching is provided for a few subjects, covering two hours per week, in the second or second and third grade. At secondary level, North Frisian continues to be taught in only one grammar school, on the Island of Föhr, but not as an integral part of the curriculum in all grades.²¹ As of the 2019/2020 school year, it is a core curriculum option (*Wahlpflichtunterricht*) in the grades 7-10 at another school on the Island of Amrum. The Committee of Experts finds that the offer is not sufficient to meet the requirements of the Charter. A continuous offer, with at least a substantial part of pre-school education in North Frisian and North Frisian taught as an integral part of the curriculum, for at least three hours per week, from primary to secondary education has to be in place. Although two primary school books for grades one and two were translated from Low German,

²⁰ See *Bericht der Landesregierung Minderheiten- und Volksgruppenpolitik in der 19. Legislaturperiode (2017 – 2022) – Minderheitenbericht 2021*, p. 99, 197-198.

²¹ *Wahlunterricht* grades 5-6, *Wahlpflichtfach* grades 9-10, foreign language as of grade 11.

there is a lack of teaching materials, in particular for the secondary level. There is also a serious lack of teachers. In some cases, retired teachers have not been replaced and thus the North Frisian lessons at that school have been discontinued. According to the speakers, many of those with the necessary language skills and training are in fact not assigned to schools in the area where North Frisian is spoken. North Frisian is not offered in vocational education. Adult education centres offer North Frisian lessons and the regime described above (see paragraph 45) also applies. Evening classes are also offered by a Danish school. Teacher training for North Frisian takes place in Kiel and Flensburg. In Kiel, North Frisian is offered as a supplementary course, leading to a teaching qualification, in the framework of teacher training for grammar school and business education. According to the authorities, the interest in this option has increased in recent years. In Flensburg, North Frisian is not a separate course, but an optional specialisation within teacher training for German. The course is, however, open to everyone, including active teachers. For master students training to become primary school teachers for all subjects, courses on “Frisian language and the Frisian minority” are an option within the core curriculum. The possibility of offering North Frisian as a supplementary course, which would make it accessible also without the German main specialisation/study, is being examined. There are currently no trained teachers for North Frisian in the vocational education sector. The subject specific requirements for all subjects highlight the multilingual character of Schleswig-Holstein and the regional or minority languages as cultural asset and call upon educational institutions to promote Low German and North Frisian and to contribute to their development. The Committee of Experts does not have precise information on how the history and culture reflected in North Frisian is taught in practice.

56. The Frisian Act of Schleswig-Holstein explicitly permits the use of documents and evidence in North Frisian before civil courts in the district of Nordfriesland but there is no corresponding regulation for administrative courts. North Frisian is practically never used for submission of documents to the administrative authorities. Nevertheless, authorities such as tax offices and the police have North Frisian speaking employees. Except the election information, *Land* authorities do not draft documents in North Frisian. However, an agreement with the *Nordfriisk Instituut* was signed also in North Frisian and the Statutes of *Friisk Stifting* were translated and published in North Frisian in the official journal of Schleswig-Holstein.

57. North Frisian has a very limited presence in the media. There are broadcasts in North Frisian by private radio broadcasters: *Friisk Funk*, for the islands of Föhr and Amrum (two hours per day, partly in North Frisian; NDR made its archive freely available for *Friisk Funk*) and *Syltfunk-Sölring Radio/Antenne Sylt* (“Frisian made easy”, twice a week, 1.5 minutes).²² Also on radio, there is a three-minute broadcast in North Frisian (*Frasch för enarken*, as part of the programme “von Binnenland un Waterkant”) every Wednesday on *NDR 1 Welle Nord*; longer broadcasts are only available on special occasions (twice per year and, every two years, a story telling competition). North Frisian is occasionally present in the TV broadcasts such as *Schleswig-Holstein Magazine* and *Schleswig-Holstein 18.00*, e.g. during interviews, but there are no programmes in North Frisian. NDR also makes available on internet an extensive audio archive (300 radio reports in North Frisian). In May 2022, NDR announced, as part of its new offer, the production of video podcasts in North Frisian (*Unerwäis*), six editions per year of 15 minutes each. In addition to the NDR audio archive, audio materials are also available on the website of *Nordfriisk Instituut*. Frisian organisations, which are funded by the *Land*, provide a wide range of cultural activities. The Foundation for the Frisian Ethnic Group in *Land* Schleswig-Holstein *Friisk Stifting* was established and had its constituent meeting in August 2020. Its purpose is to promote culture and arts, preserve the language, support general education and research, preserve local traditions and customs, all in relation with the Frisian ethnic group in Schleswig-Holstein, as well as to promote co-operation among the different Frisian groups. The four main Frisian associations in Schleswig-Holstein are represented and have voting rights in the board, while the Frisian Committee of the *Land* Parliament has an advisory role. Funding is provided by the *Land* and federal authorities. Although the setting up of the foundation responds to a wish expressed by the Frisian ethnic group, the problems linked to project-based funding remain. The Committee of Experts underlines that it is important to ensure stability and sustainability of the activities, which project-funding does not necessarily ensure.

58. The Committee of Experts was informed during the visit about the position of the German Patent and Trademark Office with respect to designations in minority languages, in a dispute concerning the registration as trademark of a place name – “Öömrang” (Amrum) – in North Frisian.²³ As a rule, terms that “belong to everyone”, and are thus common property, cannot be protected under German trademark law because this would mean restricting their use. However, in this specific case relating to a place name in a minority language

²² After the 2019 merger of *Syltfunk-Sölring Radio*, originally independent station which became insolvent, with *Antenne Sylt*, the broadcasting in North Frisian has significantly decreased, see also Fifth Opinion on Germany of the Advisory Committee on the Framework Convention for the Protection of National Minorities, ACFC/OP/V(2021)6, para. 152.

²³ Claas Riecken, *Kann “Öömrang” eine Marke sein?* in: Nordfriesland No. 217 of March 22, pages 9 and 10.

the German Patent and Trademark Office had stated that the aforementioned rule only applies to "generally understandable variations" of High German, but not to expressions which are "exclusively native to narrow local boundaries" or which are "no longer understood by the other members of the relevant public". The "relevant public" thus implicitly means the German-speaking majority population - with the consequence that minority language topographical designations are not considered to be common property in the sense of German trademark law and their commercial use can thus be restricted. In the view of the Committee of Experts, this might lead to an unjustified distinction relating to the use of a regional or minority language and go against the German – directly enforceable – Constitution which prohibits unequal treatment on the basis of language. The Committee of Experts invites the competent authorities to examine the legal situation, in light of Article 7.2, and provide information in the next monitoring cycle. In this context, the Committee of Experts notes that language is not explicitly listed as a ground of discrimination in the General Equal Treatment Act, although it is so in the Constitution, which can be invoked directly before courts. The authorities could explicitly include language as a ground for discrimination in the General Equal Treatment Act and strengthen thus its position.²⁴

59. In Lower Saxony, the decree on "The Region and Low German and Sater Frisian in education" was renewed in 2019 and its provision with respect to using regional or minority languages as language of instruction in different subjects extended to the second level of secondary education. It is compulsory for all primary and lower secondary schools to offer "language encounter" with Sater Frisian (or Low German), as part of the German lessons. In addition, schools may teach any subject in Sater Frisian (or Low German), except German and foreign languages. In practice, this would usually be bilingual teaching or immersion. Schools that offer a form of language learning may be awarded the label of "Sater Frisian (or Low German) school". **Sater Frisian** is offered in three kindergartens, in the form of activity groups, for one hour weekly; since 2021, the staff, who used to be volunteers, have been paid for their work. Only one primary school provides immersion teaching in Sater Frisian, for one subject, as well as voluntary study groups. Two other primary schools also offer Sater Frisian voluntary study groups. From 2012-2019, as part of a project on early multilingualism, in two primary schools for one class per school year, Sater Frisian was used as language of instruction for several subjects. In one secondary/technical school Sater Frisian is used occasionally during one class, by the only teacher available. There is no other offer of Sater Frisian at secondary level, due to the lack of teachers. In addition, schools organise performances, reading competitions or music projects in Sater Frisian. In 2020, funding has been provided for the development of a schoolbook for primary school level. There is no teacher training for Sater Frisian, although some courses on Sater Frisian are offered to students training to become Low German teachers at Oldenburg University. The Committee of Experts was informed that one of the obstacles for using Sater Frisian as medium of instruction/bilingual teaching is that all parents have to agree, which is often not the case. The Committee of Experts reiterates that, although Lower Saxony did not ratify the Charter for Part III undertakings concerning primary and secondary levels, Part II requires that "appropriate forms and means for the teaching and study of the regional or minority language" are provided. Therefore, and bearing in mind the situation of Sater Frisian, the offer in education needs to be strengthened in terms of hours and extended to other schools and levels of education. In addition to teacher training and teaching materials, the authorities should raise awareness of parents about the opportunities and advantages of Sater Frisian in education. The Committee of Experts regrets that the initiative of the speakers to develop an information package for parents of new-born children including information about Sater Frisian in education did not find support with the authorities. Courses of Sater Frisian for adults are organised with funding by the *Land* authorities.

60. There is no specific legal basis allowing documents and evidence to be submitted in Sater Frisian before courts. Sater Frisian has never been used in practice before courts. In addition there are no certified translators for courts for Sater Frisian. The municipality of Saterland supports the promotion of the Sater Frisian, which is to some extent used at local level. The villages in the municipality have bilingual place names and several street names are also in Sater Frisian; information boards for monuments are also bilingual. The municipality translates flyers and brochures into Sater Frisian, but no administrative documents. There is a two-hour radio programme in Sater Frisian every two weeks, on *Ems-Vechte Welle*, a small citizen's radio, but no programme on television. Occasionally, articles in Sater Frisian are published in the written media, but not with a weekly frequency. A website has been recently created, *seeltersk.de*, where audio-visual materials are also made available. A bilingual tourism app has been developed. Sater Frisian is used to some extent in cultural activities, which receive financial support from the municipality. In retirement homes, some staff use Sater Frisian.

²⁴ See also Fifth Opinion on Germany of the Advisory Committee on the Framework Convention for the Protection of National Minorities, ACFC/OP/V(2021)6, paras. 62, 65.

61. An important step for Sater Frisian is the appointment of a scientific commissioner for Sater Frisian, a part-time position financed by the *Land* through the *Oldenburgische Landschaft*, in the municipality of Saterland, who contributes through his activities to the promotion of the language. The Committee of Experts notes that there is an interest of the speakers in the setting up of a Sater Frisian Institute, to give more stability to the language and cultural promotion. In this context, the Committee of Experts notes that the *Friisk Stifting* so far only covers the promotion of North Frisian.

Low German

62. **Low German** is protected in five *Länder* under Part III of the Charter and under Part II only in three others. In 2021, in **Brandenburg**, where Low German is covered by Part II of the Charter, the *Land* parliament commissioned the *Land* Government to examine the development of a Low German Act and the adoption of additional obligations under the Charter. Since 2020, the responsibility for Low German has been explicitly assigned to the Ministry of Science, Research and Culture. The already established working group on Low German at this ministry, involving different authorities and representatives of the speakers, met three times during the monitoring period. In addition, in September 2020 the Ministry of Education, Youth and Sport set up a discussion group on Low German. As far as education is concerned, the coalition agreement foresees further promotion of Low German at pre-school and primary school level. Currently, it is taught in activity groups and competitions for pupils are organised. In 2019 the Ministry of Education, Youth and Sport provided funding for the printing of a textbook developed by the Low German speakers' association. Availability of teachers seems to be the main problem in further developing the Low German offer in education; in order to address this issue, co-operation is foreseen with the University of Greifswald.

63. In 2020, a decree concerning the use of additional Low German place names on road signs entered into force and the first signs were installed (the neighbourhood Sewekow/Sävko in the municipality of Wittstock/Dosse). The Ministry of Science, Research and Culture provided funding to the Low German association and the Institute of German Studies at the University of Potsdam to develop a list of Low German place names for the use of municipalities. In order to promote Low German in public life, other activities such as the use of Low German in tourism and museums, the publication of an almanac by the Low German association, the establishment of Low German corners at four regional libraries were also funded. The Low German association and its project receive (small) funding from the *Land*. The authorities also contributed to projects of the Federal Council for Low German dedicated to the increasing of its use in social care facilities (a phrase book). Newspaper articles in Low German are sometimes published, but the Committee received no information on an offer in broadcasting media.

64. In **North Rhine-Westphalia**, Low German is taught in the framework of voluntary study groups, for two hours per week, in schools participating in a project which has been ongoing since 2014²⁵ and which has now reached the secondary school level. Münster University/Centre for Low German, which earlier developed teaching materials for the primary level, began in 2019 to develop teaching materials for the fifth and sixth grades. There are also some Saturday classes, not regulated by the education authority. Low German modules are offered in the teacher training at various universities, including in Münster. Research is also carried out on Low German, with support from the authorities.

65. The Advisory Council for Low German of the *Land* Parliament, set up in 2018, had its first constituent meeting in 2019. It is composed of representatives of the Parliament, of ministries and of Low German speakers. It covers topics related to the implementation of the Charter, Low German in the media, projects for children and youth, the Low German theatres (*Niederdeutsche Bühne*), as well as co-operation between actors promoting Low German. There are no programmes in the media. Additional place names in Low German may be added on signs: for municipal and urban districts by decision of the local council, for names of localities, a proposal has to be submitted to the Ministry for Community Affairs by local councils, after a ¾ majority decision to display the name in Low German.

66. In **Saxony-Anhalt** in 2019 the Parliament adopted a resolution on Low German (*Niederdüütsche Sprook in Sassen-Anhalt wedder opleven laten*), referring to the responsibility of the *Land* for its protection and promotion and asking the government to support adequate educational offers for the learning and maintenance of Low German, especially at pre-school and primary level, to increase the visibility of Low German, and allow municipalities to use additional place names in Low German and to support the finalisation of a dictionary. In 2021 legislation has been adopted in order to allow the use of additional names in Low German for

²⁵ [Wi kürt Platt – Niederdeutsch an Schulen in Nordrhein-Westfalen | Bildungsportal NRW \(schulministerium.nrw\)](https://www.schulministerium.nrw.de/aktuelles/wi-kuert-platt-niederdeutsch-an-schulen-in-nordrhein-westfalen).

municipalities and the first municipality had used this possibility to display a name in low German; funding is provided by the authorities. In education, at pre-school level, kindergartens may include Low German in their offer. In schools, Low German is addressed as a part of German lessons or, outside the curriculum, in the framework of voluntary study groups and school competitions. The Low German Centre (*Arbeitsstelle Niederdeutsch*) at the university of Magdeburg is active in raising awareness of pupils and teachers about Low German. Exchanges with Brandenburg on Low German in education took place in 2020. The lack of teachers is one of the obstacles in further developing Low German in education. Seminars on Low German topics are offered within the German studies at university level; the students are involved in the project *Plattdüütschbüdel* (collection of teaching and learning materials) and the development of a children's book. Research is carried out and is funded by the authorities. Funding is also provided to associations for projects on Low German. The Working Group on Low German at the University of Magdeburg continues its activity and a new co-operation agreement with the *Landesheimatbund*, an association receiving institutional support from the *Land*, was signed in 2019. This defines among the fields of actions the development of teaching and learning materials, as well as Low German as part of the German studies at the university. There is no presence of Low German in the *Land* written and electronic media.

67. In **Bremen**, where Low German is covered by Part III, schools can introduce additional lessons of Low German. There are four such "profile schools"²⁶ at primary level and two at secondary level. Teaching takes place for one-two hours/week. However, according to the information received during the on-the-spot visit, the offer of these schools differs, and it appears that only one primary school, which received a certification in 2018, has a regular offer of Low German as a subject. Other schools offer it as part of voluntary study groups or activities. During the on-the-spot visit, the Committee of Experts was informed that transition to the secondary level is difficult. Otherwise, Low German is part of the curricula for German, local history and geography; schools may organise study groups, project weeks or other activities on Low German. At pre-school level, only two kindergartens integrate to some extent Low German in their offer. During the on-the-spot visit, the Committee of Experts was also informed about the development of a new concept for languages in education, and the consequences for Low German remain unclear. At university level, a module on "Low German language, literature and culture" is offered (*Wahlpflichtmodul*) as part of German, in the German studies/German bachelor programme, including for the secondary school teacher training option, and in the Master of Education for German in primary and secondary schools. Additional Low German courses are offered occasionally and are recognised by the teacher training centre as key qualification for teachers. Further training is offered as required by the Institute for Schools. Some further training courses for teachers are offered also by the *Länder* Centre for Low German. A textbook for secondary schools has been developed at the *Länder* Centre for Low German, in co-operation with Lower Saxony. Schools must address Low German as a regional language and the consequences for the development and the culture of the region. In particular, primary schools are required to devote attention to Low German as a cultural asset of Northern Germany, in the context of cultural identity. It is also at this level and in particular in the fourth grade that regional culture, society and history are addressed, as part of the subject "local geography and history".

68. According to the information received during the on-the-spot visit, Low German is not used in practice in relations with the judicial authorities. In the administrative field, there is some occasional use of Low German, but no forms are available in Low German, which would facilitate the submission of documents. An interpellation to the Bremen Senate was submitted in Low German and the reply was given both in Low German and High German. There is some use of Low German in debates in local and regional assemblies (*Stadtteilbeirat* and parliament). As far as media is concerned, there are regular broadcasts on the radio (every workday, radio plays, songs). There is no information about television programmes in Low German being broadcast. A weekly column in Low German is published in the *Weser-Kurier*. According to the periodical report, social care providers are required to take into account the languages spoken by their residents. Low German is offered (optionally) at two vocational schools in Bremerhaven providing training for social care workers.

69. In **Hamburg**, according to the periodical report, six pre-schools use Low German with the children, in the form of stories or poems. Low German continues to be offered in five primary schools and four secondary schools. However, there seems to be no development, since reference is made to the previous periodical report. Moreover, during the on-the-spot visit, the Committee of Experts received information indicating that Low German is mainly offered in the form of activities rather than lessons, especially at secondary level. There have also been changes within responsible authorities, leading to difficulties in the communication with the Low German speakers. There is no teaching of Low German in vocational education, nor any plans to offer it.

²⁶ Schools allowing pupils to specialise in a certain subject area.

A curricula revision is ongoing, and the Committee of Experts would welcome information on whether and how it promotes Low German in education in the next periodical report. Courses of Low German are offered in adult education. At university level, courses on Low German language and literature are offered as part of the German specialisations. However, this does not provide for teacher training. Further training is organised by the Institute for Teacher Training and School Development in co-operation with the *Länder* Centre for Low German. During the on-the-spot visit, the Committee of Experts was informed that there is a lack of trained teachers.

70. There is some use of Low German at the level of local authorities (i.e. districts of Hamburg), but the Committee of Experts received no information about documents in Low German, either drafted by *Land* authorities or submitted to them. There are several radio broadcasts on *NDR 90,3* (brief news every weekday, weekly reports, theatre play every two weeks), which are also available on internet. In May 2022, NDR announced the launching of a new TV programme in Low German (*De Noorden op Platt*), of 30 minutes per month (see paragraph 76 below). There is no longer any daily or weekly column in Low German in the Hamburg newspapers. Hamburg supports cultural activities in Low German, in particular the *Ohnsorg* Theatre, a key institution involved in the promotion of Low German in various fields.

71. In **Mecklenburg-Western Pomerania** the programme “My Homeland – My Modern Mecklenburg-Western Pomerania”, which aims *inter alia* to reinforce Low German in education, has been prolonged. Low German is used in day care centres. All day care/kindergartens in the *Land* have received, as part of the above-mentioned programme, a “treasure chest” (*Heimatschatzkiste*) which contains, among others, didactic materials in Low German. Low German is taught at primary level for one hour per week, as elective and alternative subject. The curriculum in force as of 2020/2021 foresees in addition the possibility for teaching it across subjects. At secondary level, Low German is taught at regional schools (type of lower secondary school) for one hour per week (core curriculum option and alternative subject) and the curriculum foresees the possibility of teaching it across subjects. At grammar schools, it is also taught for one hour per week. In five “profile” schools it is taught for two to four hours per week, depending on the grade as a mandatory subject and can be chosen for the final exam. Two pupils have already used this option. There is no teaching in vocational education, but the curricula are being revised with a view to include it as an interdisciplinary topic. Teacher training is mainly organised at the University of Greifswald, which hosts the Competence Centre for Teaching Low German, but also at the University of Rostock. At equal competences, when hiring teachers, preference is given to those candidates who can teach Low German. As of 2019/2020 candidates with a qualification in Low German are also given priority when making appointments to teacher training.

72. Since March 2021 place names in Low German may be displayed at the entrance of municipalities. There are a few radio programmes in Low German on *NDR 1 Radio MV* (a review twice per week, a monthly talk show, a programme on Sunday mornings, on Saturday evenings, as well as radio plays, podcasts). On television, there are reports about Low German. In May 2022, NDR announced the launching of a new TV programme in Low German (*De Noorden op Platt*), of 30 minutes per month (see paragraph 76 below). According to the periodical report, there are columns in Low German in regional or local newspapers, but the periodicity is unclear and the authorities state that they cannot intervene in this domain. The magazine of the *Heimatverband Mecklenburg-Vorpommern* with funding from the *Land* contains articles in Low German, but it is only published twice per year. Low German is one of the funding priorities in the cultural policy and support is granted to cultural projects and institutions promoting Low German. A brochure facilitating the use of Low German (terminology) in social care facilities has been developed with financial support by the *Land*.

73. In **Lower Saxony**, Low German in education is regulated by the decree on “The region and Low German and Sater Frisian in education” (see paragraph 59 above). In kindergartens there is the possibility to offer Low German, but the Committee of Experts received no information on the number of kindergartens which in practice teach it. There are 40 schools in Lower Saxony, including a vocational school, which have been awarded the label of “Low German school”, destined to schools that offer a form of language learning. From 2012 – 2019, as part of an early multilingualism project, seven primary schools used Low German in teaching other subjects. As of the 2019/2020 school year 16 secondary schools offer Low German as part of the project “Low German in Lower Secondary”, teaching Low German as compulsory elective subject.²⁷ The project is supposed also to help prepare the introduction of Low German as regular subject (as second foreign language) in secondary education. Curriculum requirements were prepared in October 2020 for such an offer. Availability of teachers influences the schools’ offer and it continues to be problematic, although the students training to become teachers can study Low German (advanced Low German leading to a certificate at

²⁷ [Niedersachsen stärkt „das Platt“: Netzwerk „Plattdeutsche Schulen“ wächst auf 40 Schulen, 16 Schulen starten neues Modellprojekt „Niederdeutsch im Sekundarbereich I“ | Nds. Kultusministerium.](#)

Oldenburg university and additional qualification “the regional language Low German at school” in three study seminars in other locations, for primary and two types of secondary school teachers). It is also compulsory for all master level students training to become teachers of German to acquire competences in the field of Low German (and Sater Frisian). Advanced training courses on Low German continue to be organised in particular for primary school teachers without previous knowledge of the language. It is also possible to advertise the additional qualification “knowledge of Low German” when recruiting teachers.

74. Low German is not used for submitting documents to courts, although, according to the speakers, there is some oral use. It is to some extent used in relations with the administrative authorities, at local level, where there are civil servants speaking Low German (for example in Leer or Aurich). Occasionally, it is used also in local council meetings. In the media, there are several programmes by “community media”/private broadcasters (*Radio Ostfriesland, Radio Weser-TV, Ems-Vechte Welle*). On television, NDR broadcasts the 30 minutes monthly *Hallo Niedersachsen – op Platt*. In May 2022, NDR announced the launching of a new TV programme in Low German (*De Noorden op Platt*), of 30 minutes per month (see paragraph 76 below). One vocational school for social care also offers Low German. The *Land* makes available funds for the promotion of Low German (and Sater Frisian) and for the regional associations (*Landschaften* and *Landschaftsverbände*). These are active in the cultural field and organise activities using and promoting Low German.

75. In **Schleswig-Holstein**, financial support has been provided to kindergartens using regional or minority languages, but the Committee of Experts did not receive precise information on the number of such institutions for Low German, nor on the extent of the offer. In the 2020/2021 school year, 33 primary “model schools” offered Low German for two hours per week, as well as nine secondary “model schools”, in grades five and six, an increase compared to the previous monitoring cycle. The stated aim of the authorities is to reach on the whole 50 “model schools”, which, however, require qualified teachers. Other schools offer Low German activities. A new decree on “Low German in Schools” entered into force in the 2019/2020 school year, stating the aim to teach Low German throughout all levels of education, and referring also to the possibility of teaching in Low German in different subjects. New textbooks and other teaching materials were also developed. Since the 2019/2020 school year, Low German is offered at the Schleswig Vocational Centre as a core curriculum option of two hours per week for those training to become pre-school teachers; social work assistants may also attend an optional Low German course. Basic and further teacher training are provided. At university level, there is a Department for Low German language and culture, also covering teacher training, within the faculty of German in Flensburg. A Low German certificate can be obtained. A supplementary Low German course is planned, which would allow the Low German certificate to be obtained also by students training to become teachers for other subjects than German. In Kiel such a supplementary course already exists. There are currently no trained teachers for Low German in the vocational education sector. Availability of teachers remains problematic. Adult education centres also offer Low German.

76. In order to facilitate the use of Low German in relations with the administrative authorities, a seminar on Low German in day-to-day administration is offered. The training institutions for the public service are preparing to offer Low German modules. In practice, Low German is rather used orally, at local level. Election information is also made available in several languages, including in Low German. Place name signs in Low German exist. On the radio station *NDR 1 Welle Nord* brief contributions in Low German (two-four minutes) are broadcast daily; longer programmes are broadcast once to two times per week. The private radio *Syltfunk-Söl'ring Radio/Antenne Sylt* continues to have some broadcasts in Low German. A podcast partly in Low German by the Center for Low German in Mölln (*Plattfunk*) can be heard on the Open Channel Lübeck. On TV, contributions in Low German are broadcast as part of other programmes (*SH Magazin* and *SH 18.00*). In May 2022, NDR announced the launching of a new TV programme in Low German (*De Noorden op Platt*), of 30 minutes per month; it is co-produced by the four NDR local *Land* branches and covers topics from all four *Länder*. The Committee of Experts welcomes this new programme and encourages its further development, in terms of frequency and duration. On internet, NDR has a Low German online service, making available content about Low German, as well as in Low German (e.g. podcasts, recordings of programmes, plays, etc). A new video podcast will also be produced (*Loeppt bi uns*), consisting of three series per year of three-four 15 minutes episodes each. Articles in Low German are occasionally published, but not with at least a weekly frequency.

Co-operation between Länder to promote Low German

77. In the previous monitoring cycle, the Committee of Ministers recommended that the German authorities **enhance co-operation among Länder where Low German is protected.**

78. The institutional framework supporting the promotion of Low German has changed significantly in 2017-2018²⁸. Today, the Institute for Low German continues to carry out different projects, with funding from the federal ministry of the interior and the federal government commissioner for culture and media. These include, for example, the partial reorganisation of the library and the creation of a sound archive.

79. The Secretariat for Low German has, since 2018, been ensuring the management of the Federal Council for Low German, the umbrella organisation of Low German speakers, and is being funded by the federal ministry of the interior. In addition, it receives project funding from the federal government commissioner for culture and media, while *Land* Brandenburg also provides annually a lump sum for projects of the Federal Council involving more than one *Land* and implemented by the Secretariat for Low German.

80. The *Länder* Centre for Low German, an institution set up in 2018 by the *Länder* Schleswig-Holstein, Lower Saxony, Bremen and Hamburg, carries out activities for the protection, maintenance and development of Low German and co-operates with various actors. It has been tasked by the four *Länder* to support them in implementing the Charter undertakings and has been particularly involved in the fields of education and social care. For example, a textbook for Low German at secondary level was developed at the centre by experts from more *Länder*, which can also be used across several *Länder*. In addition to the funding from the four *Länder*, the Centre also received project funding from the federal government commissioner for culture and media. The activities of the centre are open to participants from all *Länder*.

81. Representatives of the eight *Länder* which protect Low German meet at least once per year, and the federal ministry of the interior and the Low German speakers are also invited. Further exchanges take place in the Consultative Committee on Issues concerning Low German, at federal level, as well as in the framework of the implementation conferences. In 2019 the *Länder* Brandenburg and Saxony-Anhalt also initiated annual meetings involving representatives of the authorities and of the Low German speakers in the two *Länder*, as well as of the Federal Council for Low German. *Land* Brandenburg is looking into co-operation with Mecklenburg – Western Pomerania and Saxony-Anhalt for teacher training.

82. The Committee of Experts notes positive steps in the co-operation among *Länder* for the promotion of Low German, including the *Länder* where Low German is covered only by Part II. However, further steps and a strengthened co-operation are needed and also wished for by the speakers, which would allow exchanges of the existing good practices and the use of already existing resources.

83. **Romani** speakers largely continue to express the wish to maintain the language only within the community. Therefore, Romani language courses are organised by Sinti and Roma associations, especially for children from the community, although adults also attend occasionally. This is the case for example in Baden-Württemberg, where in 2018 a Romani language school began to function, based on the agreement between the *Land* and the local association; language courses, with a cultural component, are organised within the community and offered also online. In Frankfurt (*Land* Hesse), in the framework of a project run by an organisation to combating school absenteeism and reintegrating Sinti and Roma into the school system, Romani is used with pupils of all ages. Romani is also present in cultural events and activities. An important step is the publication in 2018 of an anthology of German poems translated into Romani (*Djiparmissa*). This was followed by a series of readings from the book, starting at the Heidelberg Literature Days in 2019; the reading is also available online. There is no use of Romani before courts or in the administration. As far as media are concerned, the Hesse *Land* association of Sinti and Roma produces video news and makes them accessible on their website. There is some use also on radio programmes, but the Committee of Experts was informed that one broadcast was discontinued due to lack of staff. Sometimes, concerts in Romani or interviews are also broadcast. The German *Länder* generally have co-operation agreements with the local associations of Sinti and Roma and provide them with funding. Reference to Romani as a language protected by the Charter is sometimes made in such agreements – as it is the case in Brandenburg, for example - but the initiative for any language-related activity should come from the community. In Hesse the agreement with the association is running and will be expended; the authorities have indicated to the Committee of Experts that they are open to further support or develop activities in education or promoting the use of Romani, should the speakers express a wish in this respect. As for the ERIAC “Roma Cultural History Initiative”, which had a language component, the Committee of Experts was informed that the Documentation Centre set up by Central Council of Roma and Sinti in Germany did not participate, due to the possibility to have the language courses open to the public.

²⁸ See 6th report of the Committee of Experts in respect of Germany, CM(2018)142, paras. 42-44.

84. Representatives of Roma and Sinti find it important that, in addition to the historical perspective, their culture and their contribution to the German society as a whole are made more visible to the public. This would also contribute to a change in the attitude of the community with respect to the use of Romani in public. Indeed, as the Committee of Experts indicated in other contexts, the approach and perception of the majority language speakers has an influence on the extent to which regional or minority languages are promoted or even used. Therefore, awareness-raising within the majority is of the utmost importance. The Committee of Experts draws the attention of the authorities to the recommendation of the Committee of Ministers CM/Rec(2020)2 on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials,²⁹ which contains guidelines on this issue, including ideas for teacher training and teaching materials. The Committee of Experts has been made aware of the travelling exhibition about national minorities in Germany and has also been informed about the plan of the Roma and Sinti association in Hesse to open a permanent exhibition, an initiative supported by the authorities. Furthermore, it was informed about an initiative launched in 2021 in the Brandenburg parliament, supported by the Berlin-Brandenburg *Landesverband* (state association) of German Sinti and Roma, to insert clauses to combat antigypsyism ("*Antiziganismusklausel*") and to protect and respect the German Sinti and Roma into the Brandenburg *Land* Constitution. The Committee of Experts looks forward to receiving information on the progress or realisation of this project. Further awareness-raising measures should also concern education and media.

85. The authorities should also continue to explore, in co-operation with the Romani speakers, ways to provide teacher training, as well as journalist training, to further strengthen Romani in these domains, while taking into account the wishes of the speakers.

²⁹ [Recommendation CM/Rec\(2020\)2 of the Committee of Ministers to member States on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials.](#)

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

2.1 Danish in the *Land* of Schleswig-Holstein

2.1.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Danish

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ✓ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Danish ³⁰	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
(Undertakings which the state must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Danish 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 Danish	=				
7.1.c	resolute action to promote Danish	=				
7.1.d	facilitation and/or encouragement of the use of Danish, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Danish • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Danish at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Danish to learn it	=				
7.1.h	promotion of study and research on Danish at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Danish	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Danish	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Danish among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Danish among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Danish • establish a body for the purpose of advising the authorities on all matters pertaining to Danish 	=				
Part III of the Charter						
(Additional undertakings chosen by the state for specific languages)						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Danish or a substantial part of pre-school education in Danish	=				
8.1.biv	make available primary education in Danish, a substantial part of primary education in Danish or teaching of Danish as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient	=				
8.1.ciii	provide, within secondary education, for the teaching of Danish as an integral part of the curriculum	=				

³⁰ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Danish³⁰	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.civ	make available secondary education in Danish, a substantial part of secondary education in Danish or teaching of Danish as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient ³¹					
8.1.diii	provide, within technical and vocational education, for the teaching of Danish as an integral part of the curriculum	=				
8.1.eii	provide facilities for the study of Danish as a university and higher education subject	=				
8.1.fii	offer Danish as a subject of adult and continuing education	=				
8.1.fiii	favour and/or encourage the offering of Danish as a subject of adult and continuing education ³²					
8.1.g	ensure the teaching of the history and the culture which is reflected by Danish		=			
8.1.h	provide the basic and further training of the teachers teaching (in) Danish	=				
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Danish and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Danish is traditionally used, allow, encourage or provide teaching in or of Danish at all the appropriate stages of education	=				
Art. 9 – Judicial authorities						
9.1.biii	allow documents and evidence to be produced in Danish in civil proceedings, if necessary by the use of interpreters and translations				✓	
9.1.ciii	allow documents and evidence to be produced in Danish in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				✓	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Danish	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of Danish may validly submit a document in Danish to local branches of the national authorities		=			
10.1.c	allow the national authorities to draft documents in Danish		x			
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Danish		x			
10.4.c	comply with requests from public service employees having a knowledge of Danish to be appointed in the territory in which that language is used					✓
10.5	allow the use or adoption of family names in Danish	=				
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Danish on a regular basis		=			
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Danish on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Danish				=	
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Danish	=				
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Danish			=		
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Danish • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Danish • ensure the freedom of expression and free circulation of information in the written press in Danish 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Danish	x				
12.1.b	foster access in other languages to works produced in Danish by aiding and developing translation, dubbing, post-synchronisation and subtitling					x
12.1.c	foster access in Danish to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓

³¹ As Articles 8.1.ciii and 8.1.civ constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 8.1.civ.

³² As Articles 8.1.fii and 8.1.fiii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 8.1.fiii.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Danish³⁰	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Danish 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 Danish	=				
12.1.f	encourage direct participation by representatives of the users of Danish 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 Danish	=				
12.2	In territories other than those in which Danish is traditionally used, allow, encourage and/or provide cultural activities and facilities using Danish	=				
12.3	make provision, in cultural policy abroad, for Danish and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Danish 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 Danish in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Danish in economic and social life	=				
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Danish		=			
Art. 14 – Transfrontier exchanges						
14.a	apply bilateral and multilateral agreements with the States in which Danish is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Danish in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Danish, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Danish 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

86. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.b.iii and c.iii not fulfilled. Article 10.1.c is a newly accepted undertaking. However, except election information provided in several languages, including Danish, the Committee of Experts has not been made aware of any other documents drafted in Danish by national authorities. The undertaking is therefore considered partly fulfilled. Article 10.2.g is a newly accepted undertaking. The Committee of Experts has been informed that two towns use place names in Danish and in a third one this is pending. The Committee of Experts therefore considers the undertaking partly fulfilled. Since the authorities indicate that they have not received requests from civil servants to be appointed in the territory where Danish is used, the Committee of Experts does not have sufficient information to conclude on the implementation of Article 10.4.c. Articles 12.1.a and 12.1.b are newly accepted undertakings. The authorities of Schleswig-Holstein provide funding to Danish organisations and institutions, providing for a variety of cultural activities. The Committee of Experts therefore considers the

undertaking 12.1.a fulfilled. The Committee of Experts does not have sufficient information to conclude on the fulfilment of Articles 12.1.b and 12.1.c.

2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Danish in Germany

The Committee of Experts encourages the German authorities 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. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany³³ 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. Take further steps to develop the offer of radio and television programmes in Danish in particular with respect to the duration and frequency.**
- b. Provide a clear legal basis for the use of Danish in civil and administrative court proceedings, in accordance with the undertakings ratified.**

II. Further recommendations

- c. Within the territory in which Danish is used, take further steps to develop the teaching of the history and the culture reflected by Danish to pupils belonging to the majority population.
- d. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Danish and for drawing up public periodic reports of its findings.
- e. Take practical measures to strengthen the use of Danish in administration, in accordance with the undertakings ratified.
- f. Facilitate the production and distribution of audio and audiovisual works in Danish.
- g. Make provision in cultural policy abroad for Danish and the culture it reflects, in particular at federal level.
- h. Take measures to ensure that social care facilities, in particular hospitals, offer the possibility to use Danish.

³³ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680920d01).

2.2 Upper Sorbian in the Free State of Saxony

2.2.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Upper Sorbian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Upper Sorbian ³⁴	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of Upper Sorbian 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 Upper Sorbian	=				
7.1.c	resolute action to promote Upper Sorbian	=				
7.1.d	facilitation and/or encouragement of the use of Upper Sorbian, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Upper Sorbian • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Upper Sorbian at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Upper Sorbian to learn it	=				
7.1.h	promotion of study and research on Upper Sorbian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Upper Sorbian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Upper Sorbian	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Upper Sorbian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Upper Sorbian among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Upper Sorbian • establish a body for the purpose of advising the authorities on all matters pertaining to Upper Sorbian 	=				
Part III of the Charter <i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.iii	make available pre-school education in Upper Sorbian or a substantial part of pre-school education in Upper Sorbian at least to those pupils whose families so request and whose number is considered sufficient	=				
8.1.biv	make available primary education in Upper Sorbian, a substantial part of primary education in Upper Sorbian or teaching of Upper Sorbian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient	=				
8.1.civ	make available secondary education in Upper Sorbian, a substantial part of secondary education in Upper Sorbian or teaching of Upper Sorbian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient	=				

³⁴ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Upper Sorbian³⁴	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.div	make available technical and vocational education in Upper Sorbian, a substantial part of technical and vocational education in Upper Sorbian or teaching of Upper Sorbian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient		=			
8.1.eii	provide facilities for the study of Upper Sorbian as a university and higher education subject	=				
8.1.fiii	favour and/or encourage the offering of Upper Sorbian as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Upper Sorbian		=			
8.1.h	provide the basic and further training of the teachers teaching (in) Upper Sorbian		=			
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Upper Sorbian and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Upper Sorbian is traditionally used, allow, encourage or provide teaching in or of Upper Sorbian at all the appropriate stages of education		=			
Art. 9 – Judicial authorities						
9.1.aii	guarantee the accused the right to use Upper Sorbian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned		=			
9.1.aiii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Upper Sorbian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned		=			
9.1.bii	allow, whenever a litigant has to appear in person before a court, that he or she may use Upper Sorbian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations		=			
9.1.biii	allow documents and evidence to be produced in Upper Sorbian in civil proceedings, if necessary by the use of interpreters and translations		✓			
9.1.cii	allow, whenever a litigant has to appear in person before a court, that he or she may use Upper Sorbian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations		=			
9.1.ciii	allow documents and evidence to be produced in Upper Sorbian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations		✓			
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Upper Sorbian and the related use of documents and evidence in Upper Sorbian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned	=				
9.2.a	not to deny the validity of legal documents solely because they are drafted in Upper Sorbian	=				
Art. 10 – Administrative authorities and public services						
10.1.aiv	ensure that users of Upper Sorbian may submit oral or written applications in Upper Sorbian to local branches of the national authorities		=			
10.1.av	ensure that users of Upper Sorbian may validly submit a document in Upper Sorbian to local branches of the national authorities ³⁵					
10.2.a	use of Upper Sorbian within the framework of the regional or local authority	=				
10.2.b	possibility for users of Upper Sorbian to submit oral or written applications in Upper Sorbian to the regional or local authority	=				
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Upper Sorbian	=				
10.3.b	allow users of Upper Sorbian to submit a request to and receive a reply from public service providers in Upper Sorbian					=
10.3.c	allow users of Upper Sorbian to submit a request in Upper Sorbian to public service providers ³⁶					
10.4.c	comply with requests from public service employees having a knowledge of Upper Sorbian to be appointed in the territory in which that language is used					✓
10.5	allow the use or adoption of family names in Upper Sorbian		=			
Art. 11 – Media						

³⁵ As Articles 10.1.aiv and 10.1.av constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 10.1.av.

³⁶ As Articles 10.3.b and 10.3.c constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 10.3.c.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Upper Sorbian³⁴	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Upper Sorbian on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Upper Sorbian on a regular basis				↙	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Upper Sorbian	=				
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Upper Sorbian	=				
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Upper Sorbian			=		
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Upper Sorbian • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Upper Sorbian • ensure the freedom of expression and free circulation of information in the written press in Upper Sorbian 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Upper Sorbian	=				
12.1.b	foster access in other languages to works produced in Upper Sorbian by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.c	foster access in Upper Sorbian to works produced in other languages 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 Upper Sorbian 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 Upper Sorbian	=				
12.1.f	encourage direct participation by representatives of the users of Upper Sorbian 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 Upper Sorbian	=				
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 Upper Sorbian	=				
12.2	In territories other than those in which Upper Sorbian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Upper Sorbian	=				
12.3	make provision, in cultural policy abroad, for Upper Sorbian and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Upper Sorbian 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 Upper Sorbian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Upper Sorbian in economic and social life	=				
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Upper Sorbian		=			

* 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

87. Due to the only occasional use of Upper Sorbian before courts, the Committee of Experts must revise its conclusion and consider now all the undertakings under Article 9.1 a, b and c only partly fulfilled. The Committee of Experts does not have sufficient information to conclude on the implementation of Article 10.4.c to Upper Sorbian. The offer of Upper Sorbian in television programmes is too limited to make an effective contribution to the promotion of the language. In light of this and the lack of progress over time the Committee of Experts considers the undertaking 11.1.c.ii not fulfilled.

2.2.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Upper Sorbian in Germany

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.2.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany³⁷ 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. **Ensure that a sufficient number of teachers is available for Upper Sorbian education at all levels.**
- b. **Increase the offer of television programmes in Upper Sorbian, in particular in terms of frequency and duration.**

II. Further recommendations

- c. Within the territory in which Upper Sorbian is used, ensure that the history and the culture reflected by Upper Sorbian is taught in practice, including to pupils belonging to the majority population.
- d. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Upper Sorbian and for drawing up public periodic reports of its findings.
- e. Take practical measures to encourage the use of Upper Sorbian before courts.
- f. Take practical measures to strengthen the use of Upper Sorbian in relations with local branches of the *Land* and federal authorities.
- g. Adopt legislation allowing the use or adoption of feminine forms of family names in Upper Sorbian.
- h. Make provision in cultural policy abroad for Upper Sorbian and the culture it reflects, in particular at federal level.
- i. Take measures to ensure that social care facilities, such as hospitals, retirement homes and hostels offer the possibility to use Upper Sorbian.

³⁷ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectId=0900001680920d01).

2.3 Lower Sorbian in the *Land of Brandenburg*

2.3.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Lower Sorbian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Lower Sorbian ³⁸	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of Lower Sorbian 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 Lower Sorbian	=				
7.1.c	resolute action to promote Lower Sorbian	=				
7.1.d	facilitation and/or encouragement of the use of Lower Sorbian, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Lower Sorbian • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Lower Sorbian at all appropriate stages		✓			
7.1.g	provision of facilities enabling (also adult) non-speakers of Lower Sorbian to learn it	=				
7.1.h	promotion of study and research on Lower Sorbian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Lower Sorbian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Lower Sorbian	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Lower Sorbian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Lower Sorbian among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Lower Sorbian • establish a body for the purpose of advising the authorities on all matters pertaining to Lower Sorbian 	=				
Part III of the Charter <i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Lower Sorbian or a substantial part of pre-school education in Lower Sorbian		=			
8.1.biv	make available primary education in Lower Sorbian, a substantial part of primary education in Lower Sorbian or teaching of Lower Sorbian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient		=			
8.1.civ	make available secondary education in Lower Sorbian, a substantial part of secondary education in Lower Sorbian or teaching of Lower Sorbian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient		=			

³⁸ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Lower Sorbian³⁸	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.eiii	encourage and/or allow the provision of university or other forms of higher education in Lower Sorbian or of facilities for the study of Lower Sorbian as a university or higher education subject	=				
8.1.fiii	favour and/or encourage the offering of Lower Sorbian as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Lower Sorbian		=			
8.1.h	provide the basic and further training of the teachers teaching (in) Lower Sorbian		=			
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Lower Sorbian and for drawing up public periodic reports of its findings				=	
Art. 9 – Judicial authorities						
9.1.aii	guarantee the accused the right to use Lower Sorbian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned					✓
9.1.aiii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Lower Sorbian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned			=		
9.1.biii	allow documents and evidence to be produced in Lower Sorbian in civil proceedings, if necessary by the use of interpreters and translations					✓
9.1.ciii	allow documents and evidence to be produced in Lower Sorbian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations					✓
9.2.a	not to deny the validity of legal documents solely because they are drafted in Lower Sorbian	=				
Art. 10 – Administrative authorities and public services						
10.1.aiv	ensure that users of Lower Sorbian may submit oral or written applications in Lower Sorbian to local branches of the national authorities		=			
10.1.av	ensure that users of Lower Sorbian may validly submit a document in Lower Sorbian to local branches of the national authorities ³⁹					
10.2.b	possibility for users of Lower Sorbian to submit oral or written applications in Lower Sorbian to the regional or local authority		=			
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Lower Sorbian	=				
10.3.b	allow users of Lower Sorbian to submit a request to and receive a reply from public service providers in Lower Sorbian					=
10.3.c	allow users of Lower Sorbian to submit a request in Lower Sorbian to public service providers ⁴⁰					
10.4.a	provide translation or interpretation	=				
10.4.c	comply with requests from public service employees having a knowledge of Lower Sorbian to be appointed in the territory in which that language is used					=
10.5	allow the use or adoption of family names in Lower Sorbian		=			
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Lower Sorbian on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Lower Sorbian on a regular basis				✓	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Lower Sorbian	=				
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Lower Sorbian	=				
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Lower Sorbian • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Lower Sorbian • ensure the freedom of expression and free circulation of information in the written press in Lower Sorbian 	=				
Art. 12 – Cultural activities and facilities						

³⁹ As Articles 10.1.aiv and 10.1.av constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 10.1.av.

⁴⁰ As Articles 10.3.b and 10.3.c constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 10.3.c.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Lower Sorbian³⁸	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.1.a	encourage production, reproduction and dissemination of cultural works in Lower Sorbian	=				
12.1.b	foster access in other languages to works produced in Lower Sorbian by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.c	foster access in Lower Sorbian to works produced in other languages 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 Lower Sorbian 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 Lower Sorbian	=				
12.1.f	encourage direct participation by representatives of the users of Lower Sorbian 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 Lower Sorbian	=				
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 Lower Sorbian	=				
12.2	In territories other than those in which Lower Sorbian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Lower Sorbian	=				
12.3	make provision, in cultural policy abroad, for Lower Sorbian and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Lower Sorbian 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 Lower Sorbian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Lower Sorbian in economic and social life		=			

* 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

88. In light of the limited offer of Lower Sorbian in education, which is mainly a voluntary subject, the Committee of Experts considers the undertaking 7.1.f partly fulfilled. In light of the unclear legal situation with regard to the possibility of written use of Lower Sorbian before courts, the Committee of Experts is not able to conclude on the undertakings 9.1 aii, 9.1.biii and 9.1. ciii. The offer of Lower Sorbian in television programmes is too limited to make an effective contribution to the promotion of the language. In light of this and the lack of progress over time the Committee of Experts considers the undertaking 11.1.c.ii not fulfilled.

2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Lower Sorbian in Germany

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.3.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts' recommendations of the previous monitoring cycles which Germany has not yet

implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁴¹ 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. **Extend and strengthen the offer of Lower Sorbian in pre-school, primary and secondary education, including by providing for it as an integral part of the curriculum more consistently.**
- b. **Ensure that a sufficient number of teachers is available for Lower Sorbian education at all levels.**

II. Further recommendations

- c. Within the territory in which Lower Sorbian is used, ensure that the history and the culture reflected by Lower Sorbian is taught in practice, including to pupils belonging to the majority population.
- d. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Lower Sorbian and for drawing up public periodic reports of its findings.
- e. Take measures to encourage the use of Lower Sorbian in practice before courts.
- f. Take practical measures to strengthen the use of Lower Sorbian in relations with local branches of the *Land* and federal authorities, as well as with local authorities.
- g. Adopt legislation allowing the use or adoption of feminine forms of family names in Lower Sorbian.
- h. Take measures to increase the offer of television programmes in Lower Sorbian, in particular with respect to the duration and frequency.
- i. Make provision in cultural policy abroad for Lower Sorbian and the culture it reflects, in particular at federal level.
- j. Continue to take measures to encourage the use of Lower Sorbian in economic and social life in practice.

⁴¹ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680920d01).

2.4 North Frisian in the *Land* of Schleswig-Holstein

2.4.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of North Frisian.

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

		The Committee of Experts considers the undertaking*:				
Article	Undertakings of Germany concerning North Frisian ⁴²	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of North 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 North Frisian	=				
7.1.c	resolute action to promote North Frisian	=				
7.1.d	facilitation and/or encouragement of the use of North Frisian, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using North Frisian • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of North Frisian at all appropriate stages		✓			
7.1.g	provision of facilities enabling (also adult) non-speakers of North Frisian to learn it	=				
7.1.h	promotion of study and research on North Frisian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of North Frisian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of North Frisian	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to North Frisian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to North Frisian among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses North Frisian • establish a body for the purpose of advising the authorities on all matters pertaining to North Frisian 	=				
Part III of the Charter						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.a.iii	make available pre-school education in North Frisian or a substantial part of pre-school education in North Frisian at least to those pupils whose families so request and whose number is considered sufficient				✓	
8.1.a.iv	favour and/or encourage the provision of pre-school education in North Frisian or a substantial part of pre-school education in North Frisian ⁴³					
8.1.b.iv	make available primary education in North Frisian, a substantial part of primary education in North Frisian or teaching of North Frisian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				=	

⁴² 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

⁴³ As Articles 8.1.a.iii and 8.1.a.iv constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 8.1.a.iv.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning North Frisian⁴²	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.civ	make available secondary education in North Frisian, a substantial part of secondary education in North Frisian or teaching of North Frisian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient		=			
8.1.eii	provide facilities for the study of North Frisian as a university and higher education subject	=				
8.1.fiii	favour and/or encourage the offering of North Frisian as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by North Frisian	=				
8.1.h	provide the basic and further training of the teachers teaching (in) North Frisian		=			
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of North Frisian and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which North Frisian is traditionally used, allow, encourage or provide teaching in or of North Frisian at all the appropriate stages of education				✓	
Art. 9 – Judicial authorities						
9.1.biii	allow documents and evidence to be produced in North Frisian in civil proceedings, if necessary by the use of interpreters and translations			✓		
9.1.ciii	allow documents and evidence to be produced in North Frisian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				✓	
9.2.a	not to deny the validity of legal documents solely because they are drafted in North Frisian	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of North Frisian may validly submit a document in North Frisian to local branches of the national authorities			=		
10.1.c	allow the national authorities to draft documents in North Frisian		x			
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in North Frisian	=				
10.4.c	comply with requests from public service employees having a knowledge of North Frisian to be appointed in the territory in which that language is used			✓		
10.5	allow the use or adoption of family names in North Frisian	=				
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in North Frisian on a regular basis		✓			
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in North Frisian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in North Frisian		↗			
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in North Frisian				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in North Frisian			=		
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in North Frisian • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in North Frisian • ensure the freedom of expression and free circulation of information in the written press in North Frisian 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in North Frisian	=				
12.1.b	foster access in other languages to works produced in North Frisian by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.c	foster access in North Frisian to works produced in other languages 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 North 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 North Frisian		↗			
12.1.f	encourage direct participation by representatives of the users of North Frisian in providing facilities and planning cultural activities	=				

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning North Frisian⁴²	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
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 North 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 North Frisian	=				
12.2	In territories other than those in which North Frisian is traditionally used, allow, encourage and/or provide cultural activities and facilities using North Frisian	=				
12.3	make provision, in cultural policy abroad, for North Frisian and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of North 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 North Frisian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of North Frisian in economic and social life	=				
Art. 14 – Transfrontier exchanges						
14.a	apply bilateral and multilateral agreements with the States in which North Frisian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of North Frisian in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				

* 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

89. In light of the limited offer of North Frisian in education, the Committee of Experts considers the undertaking 7.1.f partly fulfilled. The offer of North Frisian at most kindergartens is not sufficient to represent at least a substantial part of education in this language. The Committee of Experts must therefore revise its conclusion and consider the undertaking 8.1.a.iii not fulfilled. There is also no teaching in or of North Frisian outside the area where the language is traditionally used. Therefore, the undertaking 8.2 is considered not fulfilled. The use of documents and evidence in Frisian is legally possible before courts in civil, but not in administrative proceedings. However, North Frisian is practically never used in practice. The Committee of Experts therefore considers the undertaking 9. 1 b.iii formally fulfilled and 9.1.ciii not fulfilled. Article 10.1.c is a newly accepted undertaking. Election information is provided in several languages, including North Frisian; the agreement with the North Frisian Institute (*Nordfriisk Instituut*) was also signed in Frisian and the statutes of the *Friisk Stifting* were published in North Frisian. The undertaking is therefore considered partly fulfilled. Although the legislation makes provision for taking into account requests from civil servants to work in the area where North Frisian is spoken, the Committee of Experts did not receive any information about such practice in this respect. It must therefore revise its conclusion and consider the undertaking 10.4.c as formally fulfilled. The offer of North Frisian in radio programmes is too limited to make an effective contribution to the promotion of the language. In light of this and the decrease of the offer of radio programmes over time the Committee of Experts considers the undertaking 11.1.b.ii partly fulfilled. NDR has an audio archive in North Frisian; audiovisual materials are also available on the website of the *Nordfriisk Instituut*. The Committee of Experts therefore considers the undertaking 11.1.d partly fulfilled. Bodies organising or supporting cultural activities have at their disposal North Frisian speaking staff. The undertaking 12.1.e is therefore considered fulfilled.

2.4.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of North Frisian in Germany

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.4.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁴⁴ 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. **Strengthen the offer of North Frisian in education, including by providing a sufficient number of teachers and the required teaching materials.**
- b. **Take further steps to increase the offer of programmes in North Frisian in broadcasting media, with a sufficient frequency and duration.**

II. Further recommendations

- c. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of North Frisian and for drawing up public periodic reports of its findings.
- d. Provide a clear legal basis for the use of North Frisian in administrative proceedings, in accordance with 9.1.c iii.
- e. Take practical measures to encourage the use of North Frisian in practice in relations with the administrative authorities, as well as before courts.
- f. Facilitate the publication of newspaper articles, including online, in North Frisian on a regular basis.
- g. Make provision in cultural policy abroad for North Frisian and the culture it reflects, in particular at federal level.

⁴⁴ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/Pages/result_details.aspx?objectId=0900001680920d01).

2.5 Sater Frisian in the *Land* of Lower Saxony

2.5.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Sater Frisian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ✓ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Sater Frisian ⁴⁵	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
(Undertakings which the state must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Sater 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 Sater Frisian	=				
7.1.c	resolute action to promote Sater Frisian	=				
7.1.d	facilitation and/or encouragement of the use of Sater Frisian, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Sater Frisian • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Sater Frisian at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Sater Frisian to learn it	=				
7.1.h	promotion of study and research on Sater Frisian at universities or equivalent institutions		✓			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Sater Frisian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Sater Frisian	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Sater Frisian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Sater Frisian among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Sater Frisian • establish a body for the purpose of advising the authorities on all matters pertaining to Sater Frisian 	=				
Part III of the Charter						
(Additional undertakings chosen by the state for specific languages)						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Sater Frisian or a substantial part of pre-school education in Sater Frisian				✓	
8.1.eii	provide facilities for the study of Sater Frisian as a university and higher education subject		✓			
8.1.fiii	favour and/or encourage the offering of Sater Frisian as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Sater Frisian	=				
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Sater Frisian and for drawing up public periodic reports of its findings				=	
Art. 9 – Judicial authorities						

⁴⁵ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Sater Frisian⁴⁵	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
9.1.biii	allow documents and evidence to be produced in Sater Frisian in civil proceedings, if necessary by the use of interpreters and translations				↙	
9.1.ciii	allow documents and evidence to be produced in Sater Frisian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				↙	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Sater Frisian	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of Sater Frisian may validly submit a document in Sater Frisian to local branches of the national authorities			↙		
10.1.c	allow the national authorities to draft documents in Sater Frisian				=	
10.2.a	use of Sater Frisian within the framework of the regional or local authority		=			
10.2.b	possibility for users of Sater Frisian to submit oral or written applications in Sater Frisian to the regional or local authority		=			
10.2.c	publication by regional authorities of their official documents also in Sater Frisian				=	
10.2.d	publication by local authorities of their official documents also in Sater Frisian				=	
10.2.e	use by regional authorities of Sater Frisian in debates in their assemblies				=	
10.2.f	use by local authorities of Sater 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 Sater Frisian	=				
10.4.a	provide translation or interpretation	=				
10.4.c	comply with requests from public service employees having a knowledge of Sater Frisian to be appointed in the territory in which that language is used				=	
10.5	allow the use or adoption of family names in Sater Frisian	=				
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Sater Frisian on a regular basis		↙			
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Sater Frisian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Sater Frisian		↗			
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Sater Frisian				↙	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Sater Frisian			=		
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Sater Frisian • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Sater Frisian • ensure the freedom of expression and free circulation of information in the written press in Sater Frisian 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Sater Frisian	=				
12.1.b	foster access in other languages to works produced in Sater Frisian by aiding and developing translation, dubbing, post-synchronisation and subtitling					↙
12.1.c	foster access in Sater Frisian to works produced in other languages 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 Sater 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 Sater Frisian	=				
12.1.f	encourage direct participation by representatives of the users of Sater 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 Sater Frisian	=				
12.2	In territories other than those in which Sater Frisian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Sater Frisian	=				
12.3	make provision, in cultural policy abroad, for Sater Frisian and the culture it reflects		=			
Art. 13 – Economic and social life						

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Sater Frisian ⁴⁵	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Sater 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 Sater Frisian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Sater Frisian in economic and social life	=				

* 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

90. The offer of Sater Frisian at pre-school level is not sufficient to represent at least a substantial part of education in this language. The Committee of Experts must therefore revise its conclusion and consider the undertaking 8.1.a.iv not fulfilled. At Oldenburg University, courses on Sater Frisian are offered in the framework of the German studies with a specialisation in Low German. In light of this information, the Committee of Experts considers the undertakings 8.1. eii, as well as 7.1.h only partly fulfilled. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.biii and ciii not fulfilled. There is also no practice in submitting applications in Sater Frisian to local branches of *Land* or federal authorities. The Committee of Experts therefore considers the undertaking 10.1.av formally fulfilled. Bearing in mind the frequency of the radio programmes in Sater Frisian and the lack of developments over time, the Committee of Experts must revise its conclusion and consider the undertaking 11.1.bii as only partly fulfilled. Financial support has been provided to the production of a CD with children's songs in Sater Frisian; such songs were also included in a Sater Frisian app. The Committee of Experts therefore considers the undertaking 11.1.d partly fulfilled. Occasionally, articles in Sater Frisian are published in the written media, but not with a weekly frequency. The Committee of Experts therefore considers the undertaking 11.1. e ii not fulfilled. The Committee of Experts has not received information on works in Sater Frisian made available in other languages, or vice versa. It therefore cannot conclude on the fulfilments of the undertakings 12.1.b and 12.1.c.

2.5.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Sater Frisian in Germany

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.5.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts' recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁴⁶ remain valid

⁴⁶ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/Pages/result_details.aspx?objectId=0900001680920d01).

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. Encourage the provision of at least a substantial part of pre-school education in Sater Frisian and strengthen the educational offer for Sater Frisian at all appropriate levels.**
- b. Take further steps to increase the offer of programmes in Sater Frisian in broadcasting media, with a sufficient frequency and duration.**

II. Further recommendations

- c. Provide a clear legal basis for the use of Sater Frisian in civil and administrative court proceedings, in accordance with the undertakings ratified.
 - d. Take practical measures to encourage the use of Sater Frisian in administration, in line with the undertakings ratified.
 - e. Make provision in cultural policy abroad for Sater Frisian and the culture it reflects, in particular at federal level.
 - f. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Sater Frisian and for drawing up public periodic reports of its findings.
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2.6.a Low German in the *Land* of Brandenburg

2.6.a.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Brandenburg ⁴⁷	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
(Undertakings which the state must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German	=				
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				

* 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.

⁴⁷ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

2.6.a.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in Brandenburg

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.a.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁴⁸ 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. Strengthen efforts to develop an adequate educational offer for Low German.

II. Further recommendations

- b. Take further measures to strengthen the use of Low German in public life, in particular in the broadcasting media.

⁴⁸ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680920d01).

2.6.b Low German in the *Land* of North Rhine-Westphalia

2.6.b.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in North Rhine-Westphalia ⁴⁹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
(Undertakings which the state must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German		=			
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				

* 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.

⁴⁹ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

2.6.b.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in North Rhine-Westphalia

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.b.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁵⁰ 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. Continue efforts to develop an adequate educational offer for Low German.

II. Further recommendations

- b. Encourage the use of Low German in public life, in particular in the broadcasting media.

⁵⁰ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectId=0900001680920d01).

2.6.c Low German in the *Land* of Saxony-Anhalt

2.6.c.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Saxony-Anhalt ⁵¹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
(Undertakings which the state must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German		=			
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				

* 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.

⁵¹ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

2.6.c.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in Saxony-Anhalt

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.c.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁵² 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. Take resolute action to develop an adequate educational offer for Low German.

II. Further recommendations

b. Encourage the use of Low German in public life, in particular in the broadcasting media.

⁵² RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680920d01).

2.6.d Low German in the Free Hanseatic City of Bremen

2.6.d.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Bremen ⁵³	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German		=			
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				
Part III of the Charter <i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Low German or a substantial part of pre-school education in Low German				=	
8.1.biii	provide, within primary education, for the teaching of Low German as an integral part of the curriculum				=	
8.1.ciii	provide, within secondary education, for the teaching of Low German as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Low German as a university and higher education subject	=				
8.1.fi	provision of adult and continuing education courses taught mainly or wholly in Low German	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Low German	↗				

⁵³ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Bremen ⁵³	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.h	provide the basic and further training of the teachers teaching (in) Low German	=				
Art. 9 – Judicial authorities						
9.1.biii	allow documents and evidence to be produced in Low German in civil proceedings, if necessary by the use of interpreters and translations				↙	
9.1.ciii	allow documents and evidence to be produced in Low German in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				↙	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Low German	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of Low German may validly submit a document in Low German to local branches of the national authorities			=		
10.1.c	allow the national authorities to draft documents in Low German		↗			
10.2.a	use of Low German within the framework of the regional or local authority			=		
10.2.b	possibility for users of Low German to submit oral or written applications in Low German to the regional or local authority		↗			
10.2.c	publication by regional authorities of their official documents also in Low German				=	
10.2.d	publication by local authorities of their official documents also in Low German				=	
10.2.e	use by regional authorities of Low German in debates in their assemblies					=
10.2.f	use by local authorities of Low German in debates in their assemblies		↗			
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Low German on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Low German on a regular basis				↙	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Low German			=		
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Low German		=			
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Low German		↗			
11.1.g	support the training of journalists and other staff for media using Low German		↗			
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Low German • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Low German • ensure the freedom of expression and free circulation of information in the written press in Low German 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Low German	=				
12.1.b	foster access in other languages to works produced in Low German by aiding and developing translation, dubbing, post-synchronisation and subtitling					↙
12.1.c	foster access in Low German to works produced in other languages 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 Low German 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 Low German	=				
12.1.f	encourage direct participation by representatives of the users of Low German 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 Low German	=				
12.3	make provision, in cultural policy abroad, for Low German and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Low German 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	=				

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Bremen ⁵³	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
13.1.c	oppose practices designed to discourage the use of Low German in connection with economic or social activities	=				
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Low German		=			

* 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

91. According to the periodical report, the curricula for primary, comprehensive and grammar schools put an obligation on schools to address Low German as regional language and the consequences for the development and the culture of the region. Primary schools are required to devote attention to Low German as a cultural asset of Northern Germany, in the context of cultural identity. It is also at this level and in particular in the fourth grade that regional culture, society and history are addressed, as part of the subject “local geography and history”. The Committee of Experts therefore considers the undertaking 8.1.g fulfilled. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.biii and ciii not fulfilled. Occasionally, *Land* authorities draft documents in Low German, as was the case of the parliament, which replied also in Low German to a written question in this language. The Committee of Experts therefore considers the undertaking 10.1.c partly fulfilled. Occasionally, Low German is used in relations with the local authorities. Therefore the Committee of Experts considers the undertaking 10.2.b partly fulfilled. Low German is sometimes used in debates in the local councils (*Stadtteilbeirat*). The Committee of Experts therefore considers the undertaking 10.2.f partly fulfilled. The Committee of Experts did not receive any information about television programmes being broadcast. It therefore considers the undertaking 11.1.cii not fulfilled. *Nordmedia*, the media funding agency for Bremen and Lower Saxony, provided financial support to the production of audiovisual works in Low German, including films (such as *Boot un Dood*). The Committee of Experts therefore considers the undertaking 11.1.f ii partly fulfilled. In November 2019 the *Länder* Centre for Low German organised a media workshop for youth, while in 2020 organised web seminar on Low German in radio. The Committee of Experts therefore considers the undertaking 11.1.g partly fulfilled. The Committee of Experts does not have sufficient information to conclude on the implementation of Article 12.1.b.

2.6.d.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in Bremen

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.d.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁵⁴ remain valid

⁵⁴ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc); RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6); CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e); CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe); CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3); CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectId=0900001680920d01).

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. Take measures to provide at least for a substantial part of education in Low German at pre-school level, and provide for the teaching of Low German in primary and secondary education as a separate subject and as an integral part of the curriculum.**
- b. Facilitate the offer of television programmes in Low German on a regular basis.**

II. Further recommendations

- c. Strengthen the basic and further training of the teachers teaching (in) Low German.
 - d. Provide a clear legal basis for the use of Low German in civil and administrative court proceedings, in accordance with the undertakings ratified.
 - e. Take practical measures to strengthen the use of Low German in the administrative field, in line with the undertakings ratified.
 - f. Encourage the publication of newspaper articles, including online, in Low German on a regular basis.
 - g. Encourage the production and distribution of audiovisual works in Low German.
 - h. Further support the training of journalists and other staff for media using Low German.
 - i. Make provision in cultural policy abroad for Low German and the culture it reflects, in particular at federal level.
 - j. Take measures to ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Low German.
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2.6.e Low German in the Free and Hanseatic City of Hamburg

2.6.e.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Hamburg ⁵⁵	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German		=			
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages		↗			
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				
Part III of the Charter						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Low German or a substantial part of pre-school education in Low German		=			
8.1.biii	provide, within primary education, for the teaching of Low German as an integral part of the curriculum		↗			
8.1.ciii	provide, within secondary education, for the teaching of Low German as an integral part of the curriculum		=			
8.1.diii	provide, within technical and vocational education, for the teaching of Low German as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Low German as a university and higher education subject	=				
8.1.fii	offer Low German as a subject of adult and continuing education	=				

⁵⁵ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Hamburg⁵⁵	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.g	ensure the teaching of the history and the culture which is reflected by Low German					✓
8.1.h	provide the basic and further training of the teachers teaching (in) Low German		=			
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings				=	
Art. 9 – Judicial authorities						
9.1.biii	allow documents and evidence to be produced in Low German in civil proceedings, if necessary by the use of interpreters and translations					✓
9.1.ciii	allow documents and evidence to be produced in Low German in proceedings concerning administrative matters, if necessary by the use of interpreters and translations					✓
9.2.a	not to deny the validity of legal documents solely because they are drafted in Low German	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of Low German may validly submit a document in Low German to local branches of the national authorities			=		
10.1.c	allow the national authorities to draft documents in Low German			=		
10.2.a	use of Low German within the framework of the regional or local authority		=			
10.2.b	possibility for users of Low German to submit oral or written applications in Low German to the regional or local authority		=			
10.2.e	use by regional authorities of Low German in debates in their assemblies	=				
10.2.f	use by local authorities of Low German in debates in their assemblies	=				
10.4.c	comply with requests from public service employees having a knowledge of Low German to be appointed in the territory in which that language is used				=	
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Low German on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Low German on a regular basis		=			
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Low German				=	
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Low German					✓
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Low German				=	
11.1.g	support the training of journalists and other staff for media using Low German		=			
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Low German • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Low German • ensure the freedom of expression and free circulation of information in the written press in Low German 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Low German	=				
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Low German language and culture in the undertakings which they initiate or for which they provide backing	=				
12.1.f	encourage direct participation by representatives of the users of Low German 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 Low German	=				
12.3	make provision, in cultural policy abroad, for Low German and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Low German 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 Low German in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Low German in economic and social life	=				

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Hamburg⁵⁵	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Low German	=				

* 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

92. Bearing in mind the limited use in practice of Low German in the judicial and administrative fields, the Committee of Experts must revise its conclusion and consider 7.1.d only partly fulfilled. In light of the limited offer of Low German in education and the lack of progress over time, the Committee of Experts must revise its conclusion and consider 7.1.f only partly fulfilled. The Committee of Experts was informed that Low German lessons are not always offered in practice at primary level. It therefore considers the undertaking 8.1.biii as partly fulfilled. The Committee of Experts does not have sufficient information to conclude on Article 8.1.g. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.biii and ciii not fulfilled. Articles in Low German are no longer published in *Hamburger Abendblatt*. The Committee therefore considers the undertaking 11.1.e.ii not fulfilled.

2.6.e.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in Hamburg

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.e.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁵⁶ 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. **Take concrete steps to promote Low German in education, at pre-school, primary and secondary level, including by ensuring adequate teacher training.**
- b. **Encourage the publication of newspaper articles, including online, in Low German on a regular basis.**

⁵⁶ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680920d01).

II. Further recommendations

- c. Provide for the teaching of Low German as an integral part of the curriculum, within technical and vocational education.
- d. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings.
- e. Provide a clear legal basis for the use of Low German in civil and administrative court proceedings, in accordance with the undertakings ratified.
- f. Take practical measures to strengthen the use of Low German in administration, in accordance with the undertakings ratified.
- g. Take further measures to offer television programmes in Low German on a regular basis.
- h. Support the training of journalists and other staff for media using Low German.
- i. Make provision in cultural policy abroad for Low German and the culture it reflects, in particular at federal level.
- j. Take measures to ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Low German.

2.6.f Low German in the *Land* of Mecklenburg-Western Pomerania

2.6.f.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ✓ deterioration = no change x first evaluation of a newly accepted undertaking

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Mecklenburg-Western Pomerania ⁵⁷	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German	=				
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				
Part III of the Charter <i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Low German or a substantial part of pre-school education in Low German		=			
8.1.biii	provide, within primary education, for the teaching of Low German as an integral part of the curriculum				=	
8.1.ciii	provide, within secondary education, for the teaching of Low German as an integral part of the curriculum		=			
8.1.diii	provide, within technical and vocational education, for the teaching of Low German as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Low German as a university and higher education subject	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Low German	=				

⁵⁷ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Mecklenburg-Western Pomerania⁵⁷	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.h	provide the basic and further training of the teachers teaching (in) Low German		=			
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings				=	
Art. 9 – Judicial authorities						
9.1.biii	allow documents and evidence to be produced in Low German in civil proceedings, if necessary by the use of interpreters and translations				✓	
9.1.ciii	allow documents and evidence to be produced in Low German in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				✓	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Low German	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of Low German may validly submit a document in Low German to local branches of the national authorities			=		
10.1.c	allow the national authorities to draft documents in Low German			✓		
10.2.a	use of Low German within the framework of the regional or local authority			✓		
10.2.b	possibility for users of Low German to submit oral or written applications in Low German to the regional or local authority			✓		
10.2.f	use by local authorities of Low German in debates in their assemblies			✓		
10.4.c	comply with requests from public service employees having a knowledge of Low German to be appointed in the territory in which that language is used					=
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Low German on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Low German on a regular basis		=			
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Low German	=				
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Low German					✓
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Low German	=				
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Low German • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Low German • ensure the freedom of expression and free circulation of information in the written press in Low German 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Low German	=				
12.1.b	foster access in other languages to works produced in Low German by aiding and developing translation, dubbing, post-synchronisation and subtitling			=		
12.1.c	foster access in Low German to works produced in other languages 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 Low German 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 Low German	=				
12.1.f	encourage direct participation by representatives of the users of Low German in providing facilities and planning cultural activities	=				
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 Low German	=				
12.3	make provision, in cultural policy abroad, for Low German and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Low German 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	=				

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Mecklenburg-Western Pomerania⁵⁷	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
13.1.c	oppose practices designed to discourage the use of Low German in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Low German in economic and social life	=				
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Low German		=			

* **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

93. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.biii and ciii not fulfilled. Low German is not used in practice in the administration. The Committee of Experts therefore must revise its conclusion and consider the undertakings 10.1.c, 10.2.a, 10.2.b and 10.2.f only formally fulfilled. While articles in Low German are published in various newspapers, it is unclear if there is any support from the *Land*. The Committee of Experts therefore cannot conclude on the fulfilment of the undertaking 11.e.ii. A book written in German was published in Low German. The Committee of Experts therefore considers the undertaking 12.1.c partly fulfilled.

2.6.f.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in Mecklenburg-Western Pomerania

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.f.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁵⁸ 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. **Continue measures strengthening Low German in education at all levels, including by ensuring adequate teacher training.**
- b. **Take practical measures encouraging the use of Low German in administration, in accordance with the undertakings ratified.**

⁵⁸ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc); RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6); CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e); CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe); CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3); CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680920d01).

II. Further recommendations

- c. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings.
- d. Provide a clear legal basis for the use of Low German in civil and administrative court proceedings, in accordance with the undertakings ratified.
- e. Extend the offer of television programmes in Low German.
- f. Make provision in cultural policy abroad for Low German and the culture it reflects, in particular at federal level.
- g. Take measures to ensure that social care facilities, in particular hospitals, offer the possibility to use Low German.

2.6.g Low German in the *Land* of Lower Saxony

2.6.g.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

		The Committee of Experts considers the undertaking*:				
Article	Undertakings of Germany concerning Low German in Lower Saxony ⁵⁹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German		=			
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				
Part III of the Charter						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Low German or a substantial part of pre-school education in Low German		=			
8.1.eii	provide facilities for the study of Low German as a university and higher education subject	=				
8.1.fiii	favour and/or encourage the offering of Low German as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Low German	=				
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings				=	
Art. 9 – Judicial authorities						

⁵⁹ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Lower Saxony⁵⁹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
9.1.biii	allow documents and evidence to be produced in Low German in civil proceedings, if necessary by the use of interpreters and translations				↙	
9.1.ciii	allow documents and evidence to be produced in Low German in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				↙	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Low German	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of Low German may validly submit a document in Low German to local branches of the national authorities			=		
10.1.c	allow the national authorities to draft documents in Low German				=	
10.2.a	use of Low German within the framework of the regional or local authority		=			
10.2.b	possibility for users of Low German to submit oral or written applications in Low German to the regional or local authority		=			
10.2.c	publication by regional authorities of their official documents also in Low German				=	
10.2.d	publication by local authorities of their official documents also in Low German				=	
10.2.e	use by regional authorities of Low German in debates in their assemblies		=			
10.2.f	use by local authorities of Low German in debates in their assemblies	=				
10.4.a	provide translation or interpretation	=				
10.4.c	comply with requests from public service employees having a knowledge of Low German to be appointed in the territory in which that language is used	=				
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Low German on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Low German on a regular basis		=			
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Low German			=		
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Low German		=			
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Low German		↗			
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Low German • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Low German • ensure the freedom of expression and free circulation of information in the written press in Low German 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Low German	=				
12.1.b	foster access in other languages to works produced in Low German by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.c	foster access in Low German to works produced in other languages 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 Low German 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 Low German	=				
12.1.f	encourage direct participation by representatives of the users of Low German 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 Low German	=				
12.2	In territories other than those in which Low German is traditionally used, allow, encourage and/or provide cultural activities and facilities using Low German	=				
12.3	make provision, in cultural policy abroad, for Low German and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Low German in documents relating to economic or social life, particularly contracts of	=				

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Lower Saxony⁵⁹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
	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 Low German in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Low German in economic and social life	=				
Art. 14 – Transfrontier exchanges						
14.a	apply bilateral and multilateral agreements with the States in which Low German is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Low German in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Low German, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Low German 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

94. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.biii and ciii not fulfilled. *Nordmedia*, the media funding agency for Bremen and Lower Saxony, provided financial support to the production of audiovisual works in Low German, including films (such as *Boot un Dood*). The Committee of Experts therefore considers the undertaking 11.1. fii partly fulfilled.

2.6.g.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in Lower Saxony

95. The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.g.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁶⁰ 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. Further strengthen the educational offer for Low German at all appropriate levels.

⁶⁰ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc); RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6); CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e); CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe); CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3); CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680920d01).

II. Further recommendations

- b. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings.
- c. Provide a clear legal basis for the use of Low German in civil and administrative court proceedings, in accordance with the undertakings ratified.
- e. Take practical measures to strengthen the use of Low German in practice in administration, in accordance with the undertakings ratified.
- d. Facilitate the broadcasting of television programmes in Low German on a regular basis, with a sufficient frequency and duration.
- e. Facilitate the publication of newspaper articles, including online, in Low German, on a regular basis.
- g. Make provision in cultural policy abroad for Low German and the culture it reflects, in particular at federal level.

2.6.h Low German in the *Land* of Schleswig-Holstein

2.6.h.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Low German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

		The Committee of Experts considers the undertaking*:				
Article	Undertakings of Germany concerning Low German in Schleswig-Holstein ⁶¹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
Art. 7 – Objectives and principles						
7.1.a	recognition of Low German 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 German	=				
7.1.c	resolute action to promote Low German		=			
7.1.d	facilitation and/or encouragement of the use of Low German, 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"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Low German • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Low German at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Low German to learn it	=				
7.1.h	promotion of study and research on Low German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Low German	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Low German	=				
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Low German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Low German among their objectives 	=				
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Low German • establish a body for the purpose of advising the authorities on all matters pertaining to Low German 	=				
Part III of the Charter						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Low German or a substantial part of pre-school education in Low German					✓
8.1.biii	provide, within primary education, for the teaching of Low German as an integral part of the curriculum		=			
8.1.ciii	provide, within secondary education, for the teaching of Low German as an integral part of the curriculum		=			
8.1.eii	provide facilities for the study of Low German as a university and higher education subject	=				
8.1.fiii	favour and/or encourage the offering of Low German as a subject of adult and continuing education	=				

⁶¹ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Schleswig-Holstein ⁶¹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.g	ensure the teaching of the history and the culture which is reflected by Low German	=				
8.1.h	provide the basic and further training of the teachers teaching (in) Low German	=				
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Low German is traditionally used, allow, encourage or provide teaching in or of Low German at all the appropriate stages of education	=				
Art. 9 – Judicial authorities						
9.1.biii	allow documents and evidence to be produced in Low German in civil proceedings, if necessary by the use of interpreters and translations				✓	
9.1.ciii	allow documents and evidence to be produced in Low German in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				✓	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Low German	=				
Art. 10 – Administrative authorities and public services						
10.1.av	ensure that users of Low German may validly submit a document in Low German to local branches of the national authorities			=		
10.1.c	allow the national authorities to draft documents in Low German		↗			
10.2.a	use of Low German within the framework of the regional or local authority		✓			
10.2.b	possibility for users of Low German to submit oral or written applications in Low German to the regional or local authority		=			
10.2.f	use by local authorities of Low German 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 Low German		x			
10.4.c	comply with requests from public service employees having a knowledge of Low German to be appointed in the territory in which that language is used					✓
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Low German on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Low German on a regular basis		=			
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Low German		↗			
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Low German				✓	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Low German			=		
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Low German • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Low German • ensure the freedom of expression and free circulation of information in the written press in Low German 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Low German	=				
12.1.b	foster access in other languages to works produced in Low German by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.c	foster access in Low German to works produced in other languages 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 Low German 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 Low German	x				
12.1.f	encourage direct participation by representatives of the users of Low German 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 Low German	=				
12.3	make provision, in cultural policy abroad, for Low German and the culture it reflects		=			
Art. 13 – Economic and social life						

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Low German in Schleswig-Holstein ⁶¹	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Low German 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 Low German in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Low German in economic and social life				=	
13.2.c	ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Low German		=			

* 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

96. Although there is an offer of Low German at kindergarten level, the Committee of Experts does not have sufficient information to conclude on whether this corresponds to at least a substantial part of pre-school education in Low German. It therefore cannot conclude on the fulfilment of the undertaking 8.1.aiv. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.biii and ciii not fulfilled. Election information is provided in several languages, including Low German. Therefore, the Committee of Experts considers the undertaking 10.1.c partly fulfilled. Low German is only occasionally and orally used by local authorities. The Committee of Experts therefore considers the undertaking 10.2.a only partly fulfilled. Article 10.2.g is a newly accepted undertaking. According to the periodical report, four municipalities approved the use of additional place names in Low German. The Committee of Experts therefore considers the undertaking partly fulfilled. According to the periodical report, no requests have been made by civil servants to be appointed in the area where Low German is spoken. Should such request be made, ways to implement it will be considered on a case-by-case basis. The Committee of Experts therefore cannot conclude on the fulfilment of the undertaking 10.4.c. NDR produces podcasts in Low German. The Committee of Experts therefore considers the undertaking 11.1.d partly fulfilled. There are no longer daily or weekly articles in Low German published in the print media, leading to the undertaking 11.1.eii to be considered not fulfilled. The Committee of Experts does not have sufficient information to conclude on the undertaking 12.1.b. 12.1.e is a newly accepted undertaking. Bodies organising or supporting cultural activities have at their disposal Low German speaking staff. The undertaking is therefore considered fulfilled.

2.6.h.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Low German in Schleswig-Holstein

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.6.h.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts' recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁶² remain valid

⁶² RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);

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. Further strengthen the offer of Low German in education at primary and secondary levels, including by ensuring adequate teacher training.

II. Further recommendations

- b. Set up a supervisory body responsible for monitoring the progress achieved in the teaching of Low German and for drawing up public periodic reports of its findings.
- c. Provide a clear legal basis for the use of Low German in civil and administrative court proceedings, in accordance with the undertakings ratified.
- d. Take practical measures to strengthen the use of Low German in practice in administration, in accordance with the undertakings ratified.
- e. Take further steps to extend the duration and frequency of television programmes in Low German.
- f. Make provision in cultural policy abroad for Low German and the culture it reflects, in particular at federal level.
- g. Take measures to ensure that social care facilities such as hospitals, retirement homes and hostels offer the use of Low German.

2.7 Romani

2.7.1 Compliance of Germany with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Romani

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change x first evaluation of a newly accepted undertaking

		The Committee of Experts considers the undertaking*:				
Article	Undertakings of Germany concerning Romani ⁶³	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter - Romani in the whole territory of the Federal Republic of Germany (Undertakings which the state must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Romani 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 Romani	=				
7.1.c	resolute action to promote Romani		=			
7.1.d	facilitation and/or encouragement of the use of Romani, 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 Romani • establishment of cultural relations with other linguistic groups	=				
7.1.f	provision of forms and means for the teaching and study of Romani at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Romani to learn it	=				
7.1.h	promotion of study and research on Romani at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Romani	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Romani	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Romani among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Romani among their objectives	=				
7.4	• take into consideration the needs and wishes expressed by the group which uses Romani • establish a body for the purpose of advising the authorities on all matters pertaining to Romani	=				
Part III of the Charter – Romani in the Land of Hesse (Additional undertakings chosen by the state for specific languages)						
Art. 8 – Education						
8.1.a.iii	make available pre-school education in Romani or a substantial part of pre-school education in Romani at least to those pupils whose families so request and whose number is considered sufficient		=			
8.1.a.iv	favour and/or encourage the provision of pre-school education in Romani or a substantial part of pre-school education in Romani ⁶⁴					
8.1.b.iv	make available primary education in Romani, a substantial part of primary education in Romani or teaching of Romani as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient		=			
8.1.c.iv	make available secondary education in Romani, a substantial part of secondary education in Romani or teaching of Romani as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient		=			

⁶³ 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 Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

⁶⁴ As Articles 8.1.a.iii and 8.1.a.iv constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 8.1.a.iv

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Romani⁶³	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.div	make available technical and vocational education in Romani, a substantial part of technical and vocational education in Romani or teaching of Romani as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient				=	
8.1.eiii	encourage and/or allow the provision of university or other forms of higher education in Romani or of facilities for the study of Romani as a university or higher education subject				=	
8.1.fiii	favour and/or encourage the offering of Romani as a subject of adult and continuing education				=	
8.1.g	ensure the teaching of the history and the culture which is reflected by Romani	=				
8.1.h	provide the basic and further training of the teachers teaching (in) Romani				=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Romani and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Romani is traditionally used, allow, encourage or provide teaching in or of Romani at all the appropriate stages of education				=	
Art. 9 – Judicial authorities						
9.1.biii	allow documents and evidence to be produced in Romani in civil proceedings, if necessary by the use of interpreters and translations				✓	
9.1.ciii	allow documents and evidence to be produced in Romani in proceedings concerning administrative matters, if necessary by the use of interpreters and translations				✓	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Romani	=				
Art. 10 – Administrative authorities and public services						
10.2.e	use by regional authorities of Romani in debates in their assemblies			=		
10.2.f	use by local authorities of Romani in debates in their assemblies			=		
10.3.c	allow users of Romani to submit a request in Romani to public service providers				=	
10.4.c	comply with requests from public service employees having a knowledge of Romani to be appointed in the territory in which that language is used				=	
10.5	allow the use or adoption of family names in Romani	=				
Art. 11 – Media						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Romani on a regular basis		=			
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Romani on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Romani		=			
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Romani				=	
11.1.eii	encourage and/or facilitate the weekly or daily publication of newspaper articles in Romani ⁶⁵					
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Romani			=		
11.1.g	support the training of journalists and other staff for media using Romani				=	
11.2	<ul style="list-style-type: none"> • guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Romani • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Romani • ensure the freedom of expression and free circulation of information in the written press in Romani 	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Romani		=			
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Romani language and culture in the undertakings which they initiate or for which they provide backing		=			
12.1.f	encourage direct participation by representatives of the users of Romani 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 Romani	=				

⁶⁵ As Articles 11.1.ei and 11.1.e ii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.eii.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Germany concerning Romani⁶³	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.2	In territories other than those in which Romani is traditionally used, allow, encourage and/or provide cultural activities and facilities using Romani		=			
12.3	make provision, in cultural policy abroad, for Romani and the culture it reflects		=			
Art. 13 – Economic and social life						
13.1.a	eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Romani 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 Romani in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Romani in economic and social life					✓
Art. 14 – Transfrontier exchanges						
14.a	apply bilateral and multilateral agreements with the States in which Romani is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Romani in the States concerned in the fields of culture, education, information, vocational training and permanent education				=	

* 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.

In its evaluation of the application of Art. 7.1-7.4 to Romani, 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

97. In light of the insufficient legal basis and practice, the Committee of Experts considers the undertakings 9.1.biii and ciii not fulfilled. The COMEX has no sufficient information on how the authorities encourage the use of Romani in social and economic life. The Committee of Experts therefore cannot conclude on the undertaking 13.1.d.

2.7.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Romani in Germany

The Committee of Experts encourages the German authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.7.1 above), as well as to continue to comply with those that are fulfilled. The following overview presents the Committee of Experts’ recommendations of the previous monitoring cycles which Germany has not yet implemented and the recommendations of the current monitoring cycle. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Germany⁶⁶ remain valid

⁶⁶ RecChL(2002)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016804f6adc);
 RecChL(2006)1 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d8ad6);
 CM/RecChL(2008)3 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805d2d3e);
 CM/RecChL(2011)2 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cccbe);
 CM/RecChL(2014)5 (https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5aa3);
 CM/RecChL(2019)1 (https://search.coe.int/cm/pages/result_details.aspx?objectId=0900001680920d01).

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. Identify, in co-operation with the speakers, ways of strengthening the educational offer for Romani.**
- b. Support initiatives using Romani in the media, in co-operation with the speakers.**

II. Further recommendations

- c. Further raise awareness of the general public of the contribution of the Romani speakers to the German society as a whole.
- d. Encourage the training of Romani speakers as teaching staff.
- e. Make provision in cultural policy abroad for Romani and the culture it reflects, in particular at federal level.
- f. Seek to conclude agreements with other states to foster contacts between the users of Romani in the fields of culture, education, information, vocational training and permanent education.

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

The Committee of Experts, while acknowledging the efforts the German authorities have undertaken to protect the regional and minority languages spoken in the 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 make the following recommendations to Germany.

The Committee of Ministers,

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

Having regard to the instrument of ratification deposited by Germany on 16 September 1998 and the declaration registered at the Secretariat General on 21 March 2003;

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

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

[Having taken note of the comments submitted by the German authorities on the content of the report of the Committee of Experts;]

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

1. strengthen the educational offer for Sater Frisian, North Frisian, Lower Sorbian, Low German and Romani;
2. ensure that a sufficient number of adequately trained teachers for regional or minority language education is available;
3. take further measures to strengthen the offer of media in regional or minority languages;
4. strengthen the use of regional or minority languages in the administration in practice.

The Committee of Ministers invites the German authorities to submit the information on the recommendations for immediate action by 1 January 2024 and the next periodical report by 1 July 2026.⁶⁷

⁶⁷ See 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 Ratification



Germany

Declarations contained in a letter from the Permanent Representation of Germany, dated 16 September 1998, handed to the Secretary General at the time of deposit of the instrument of ratification, on 16 September 1998 – Or. Engl./Germ.

Minority languages within the meaning of the European Charter for Regional or Minority Languages in the Federal Republic of Germany shall be the Danish, Upper Sorbian, Lower Sorbian, North Frisian and Sater Frisian languages and the Romany language of the German Sinti and Roma; a regional language within the meaning of the Charter in the Federal Republic shall be the Low German language.

Pursuant to Article 3, paragraph 1, of the Charter, the Federal Republic of Germany specifies the regional or minority languages to which the provisions selected pursuant to Article 2, paragraph 2, of the Charter shall apply upon the entry into force of the Charter in the Federal Republic of Germany:

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

Article 8, paragraph 1 a iv; b iv; c iii/iv; d iii; e ii; f ii/iii; g; h; i; paragraph 2;
 Article 9, paragraph 1 b iii; c iii; paragraph 2 a;
 Article 10, paragraph 1 a v; paragraph 4 c; paragraph 5;
 Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;
 Article 12, paragraph 1 c; d; e; f; g; paragraph 2; paragraph 3;
 Article 13, paragraph 1 a; c; d; paragraph 2 c;
 Article 14 a; b.

Upper Sorbian in the Upper Sorbian language area in the Free State of Saxony:

Article 8, paragraph 1 a iii; b iv; c iv; d iv; e ii; f iii; g; h; i; paragraph 2;
 Article 9 paragraph 1 a ii; a iii; b ii; b iii; c ii; c iii; d; paragraph 2 a;
 Article 10, paragraph 1 a iv/v; paragraph 2 a; b; g; paragraph 3 b/c; paragraph 4 c; paragraph 5;
 Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;
 Article 12, paragraph 1 a; b; c; d; e; f; g; h; paragraph 2, paragraph 3;
 Article 13, paragraph 1 a; c; d; paragraph 2 c.

Lower Sorbian in the Lower Sorbian language area in *Land* Brandenburg:

Article 8, paragraph 1 a iv; b iv; c iv; e iii; f iii; g; h; i;
 Article 9, paragraph 1 a ii; a iii; b iii; c iii; paragraph 2 a;
 Article 10, paragraph 1 a iv/v; paragraph 2 b; g; paragraph 3 b/c; paragraph 4 a; c; paragraph 5;
 Article 11, paragraph 1 b ii; c ii; d; e i; paragraph 2;
 Article 12, paragraph 1 a; b; c; d; e; f; g; h; paragraph 2; paragraph 3;
 Article 13, paragraph 1 a; c; d.

North Frisian in the North Frisian language area in *Land* Schleswig-Holstein:

Article 8, paragraph 1 a iii/iv; b iv; c iv; e ii; f iii; g; h; i; paragraph 2;
 Article 9, paragraph 1 b iii; c iii; paragraph 2 a;
 Article 10, paragraph 1 a v; paragraph 4 c; paragraph 5;
 Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;
 Article 12, paragraph 1 a; b; c; d; e; f; g; h; paragraph 2; paragraph 3;
 Article 13, paragraph 1 a; c; d;
 Article 14 a.

Sater Frisian in the Sater Frisian language area in *Land* Lower Saxony:

Article 8, paragraph 1 a iv; e ii; f iii; g; i;
 Article 9, paragraph 1 b iii; c iii; paragraph 2 a;
 Article 10, paragraph 1 a v; c; paragraph 2 a; b; c; d; e; f; paragraph 4 a; c; paragraph 5;
 Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;
 Article 12, paragraph 1 a; b; c; d; e; f; g; paragraph 2; paragraph 3;
 Article 13, paragraph 1 a; c; d.

Low German in the *Länder* Free Hanseatic City of Bremen, Free and Hanseatic City of Hamburg, Mecklenburg-Western Pomerania, Lower Saxony and Schleswig-Holstein:

Obligations regarding Low German in the territory of the *Länder* Free Hanseatic City of Bremen, Free and Hanseatic City of Hamburg, Mecklenburg-Western Pomerania, Lower Saxony and Schleswig-Holstein:

Article 8, paragraph 1 a iv; e ii; g;
 Article 9, paragraph 1 b iii; c iii; paragraph 2 a;
 Article 10, paragraph 1 a v; c; paragraph 2 a; b; f;
 Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;
 Article 12, paragraph 1 a; d; f; paragraph 3;
 Article 13, paragraph 1 a; c;

and additionally:

- in the Free Hanseatic City of Bremen:

Article 8, paragraph 1 b iii; c iii; f i; h;
 Article 10, paragraph 2 c; d; e;
 Article 11, paragraph 1 g;
 Article 12, paragraph 1 b; c; e; g;
 Article 13, paragraph 2 c;

- in the Free and Hanseatic City of Hamburg:

Article 8, paragraph 1 b iii; c iii; d iii; f ii; h; i;
 Article 10, paragraph 2 e; paragraph 4 c;
 Article 11, paragraph 1 g;
 Article 12, paragraph 1 g;
 Article 13, paragraph 1 d; paragraph 2 c;

- in *Land* Mecklenburg-Western Pomerania:

Article 8, paragraph 1 b iii; c iii; d iii; h; i;
 Article 10, paragraph 4 c;
 Article 12, paragraph 1 b; c; e; h;
 Article 13, paragraph 1 d, paragraph 2 c;

- in *Land* Lower Saxony:

Article 8, paragraph 1 f iii; i;
 Article 10, paragraph 2 c; d; e; paragraph 4 a; c;
 Article 12, paragraph 1 b; c; e; g; paragraph 2;
 Article 13, paragraph 1 d;
 Article 14 a; b;

- in *Land* Schleswig-Holstein:

Article 8, paragraph 1 b iii; c iii; f iii; h; i; paragraph 2;
 Article 10, paragraph 4 c;
 Article 12, paragraph 1 b; c; g;
 Article 13, paragraph 1 d; paragraph 2 c.

The separate specification of these provisions for the territories of each individual *Land* is in keeping with the federal structure of the Federal Republic of Germany and takes into account the situation of each of these languages in the *Land* in question.

The Romany language of the German Sinti and Roma in the territory of the Federal Republic of Germany and Low German language in the territory of the *Länder* Brandenburg, North-Rhine/Westphalia and Saxony-Anhalt shall be protected pursuant to Part II of the Charter.

Part II of the European Charter for Regional or Minority Languages shall be applied to Romany, the minority language of the German Sinti and Roma in the territory of the Federal Republic of Germany, and to the regional language Low German in the territory of the *Länder* Brandenburg, North-Rhine/Westphalia and Saxony-Anhalt upon its entry into force in the Federal Republic of Germany in accordance with the declaration of the Federal Republic of Germany of 23 January 1998. The objectives and principles laid down in Article 7 of the Charter shall form the bases with regard to these languages. At the same time, German law and Germany's administrative practice thus meet individual requirements laid down in Part III of the Charter:

With regard to Romany

for the territory of the Federal Republic of Germany:

Article 8, paragraph 1 f iii; g; h;
 Article 9, paragraph 1 b iii; c iii; paragraph 2 a;
 Article 10, paragraph 5;
 Article 11, paragraph 1 d; e ii; f ii; g; paragraph 2;
 Article 12, paragraph 1 g; paragraph 3;
 Article 13, paragraph 1 a; c; d;
 Article 14 a;

and additionally:

- in *Land* Baden-Württemberg:

Article 8, paragraphs 1 a iv, 1 e iii;
 Article 10, paragraph 4 c;
 Article 12, paragraphs 1 a, 1 d; f; paragraph 2.

- in *Land* Berlin:

Article 8, paragraph 1 a i/ii; b i/ii/iii/iv; e i/ii/iii; i; paragraph 2;
 Article 11, paragraph 1 b i/ii: c ii; e i/ii;
 Article 12, paragraph 1 a; d; f;

- in the Free and Hanseatic City of Hamburg:

Article 8, paragraph 1 b iv; c iv;
 Article 11, paragraph 1 b ii; c ii;
 Article 12, paragraph 1 a; d; f;

- in *Land* Hesse:

Article 8, paragraph 1 a iii/iv; b iv; c iv; d iv; e iii; i; paragraph 2;
 Article 11, paragraph 1 b ii; c ii; e i;
 Article 12, paragraph 1 a; d; f; paragraph 2;

- in *Land* North-Rhine/Westphalia:

Article 8, paragraph 1 e iii; paragraph 2;
 Article 12, paragraph 1 a; d; f; paragraph 2;

- in *Land* Lower Saxony:

Article 12, paragraph 1 a; d; f;

- in *Land* Rhineland-Palatinate:

Article 8, paragraph 1 a iv; e iii;
 Article 11, paragraph 1 c ii;
 Article 12, paragraph 1 a; d; f;

- in *Land* Schleswig-Holstein:

Article 10, paragraph 1 a v; paragraph 2 b; paragraph 4 c;
 Article 11, paragraph 1 b ii; c ii;
 Article 12, paragraph 1 a; d; f; paragraph 2.

With regard to Low German:

- in *Land* Brandenburg:

Article 8, paragraph 1 a iv; b iv; c iv; f iii; g;
 Article 9, paragraph 2 a;
 Article 10, paragraph 2 b; paragraph 3 c;
 Article 11, paragraph 1 b ii; c ii; d; e ii; f ii; paragraph 2;
 Article 12, paragraph 1 a; f; g;

- in *Land* North-Rhine/Westphalia:

Article 8, paragraph 1 e iii; g; h; paragraph 2;
 Article 9, paragraph 1 b iii; c iii; paragraph 2 a;
 Article 11, paragraph 1 d; paragraph 2;
 Article 12, paragraph 1 a; d; e; f; g; h; paragraph 2;
 Article 13, paragraph 1 a; c; d;

- in *Land* Saxony-Anhalt:

Article 8, paragraph 1 a iv; b iv; c iv; g; h;
 Article 9, paragraph 2 a;
 Article 11, paragraph 1 b ii; c ii; e ii; paragraph 2;
 Article 12, paragraph 1 a; f; g; h.

The separate specification of these provisions for the territory of each individual *Land* is in keeping with the federal structure of the Federal Republic of Germany and takes into account the situation of each of these languages in the *Land* in question.

In accordance with the national distribution of competencies, the way in which the above-mentioned provisions of Part III of the Charter are implemented through legal regulations and Germany's administrative practice with due regard to the objectives and principles specified in Article 7 of the Charter shall be the responsibility of either the Federation or the competent *Land*. Details will be provided in the procedure for implementing the federal act with which the legislature consents to the Charter as laid down in the Memorandum to the Charter.

Period covered: 01/01/1999 -

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

Declaration contained in a letter from the Permanent Representative of Germany, dated 17 March 2003 and registered at the Secretariat General on 21 March 2003 - Or. Engl./Germ.

In accordance with Article 3, paragraph 2, of the Charter, the Federal Republic of Germany will apply to the minority languages named below the following additional provision pursuant to Article 2, paragraph 2:

. North Frisian in the North Frisian language area in *Land* Schleswig-Holstein:

Article 10, paragraph 2 (g)

. Sater Frisian in the Sater Frisian language area in *Land* Lower Saxony:

Article 10, paragraph 2 (g)

. Romanes for the area of *Land* Hesse:

Article 8, paragraph 1 (a) (iii) and (iv); (b) (iv); (c) (iv); (d) (iv); (e) (iii); (i); paragraph 2
 Article 10, paragraph 2 (e); (f); paragraph 3 (c); paragraph 4 (c)
 Article 11, paragraph 1 (b) (ii); (c) (ii); (e) (i)
 Article 12, paragraph 1 (a); (d); (f); paragraph 2

In connection with the undertakings given for the entire federal territory :

Article 8, paragraph 1 (f) (iii); (g); (h)

Article 9, paragraph 1 (b) (iii) ; (c) (iii) ; paragraph 2 (a)
 Article 10, paragraph 5
 Article 11, paragraph 1 (d); (e) (ii); (f) (ii) ; (g) ; paragraph 2
 Article 12, paragraph 1 (g) ; paragraph 3
 Article 13, paragraph 1 (a) ; (c) ; (d)
 Article 14 (a)

Period covered: 21/03/2003 -

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

Declaration contained in letter from the Permanent Representative of Germany, dated 6 January 2021, registered at the Secretariat General on 7 January 2021 – Or. Engl.

In accordance with Article 3, paragraph 2, of the Charter, the Federal Republic of Germany declares that it will, pursuant to Article 2, paragraph 2, of the Charter, apply the following additional provisions to the minority languages and regional language named below:

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

Article 10, paragraph 1c; paragraph 2g.

Article 12, paragraphs 1a, b.

To North Frisian in the North Frisian language area in the *Land* Schleswig-Holstein:

Article 10, paragraph 1c.

To Low German in the territory of the *Land* Schleswig-Holstein:

Article 10, paragraph 2g.

Article 12, paragraph 1e.

Period covered: 07/01/2021 -

Articles concerned: 2,3

Appendix II: Comments from the German authorities

As in previous monitoring cycles, Germany appreciates the constructive cooperation with the bodies of the Council of Europe with regard to implementing the European Charter for Regional or Minority Languages.

With a view to continuing the dialogue about the best ways to protect and promote minority languages and the regional language Low German, it is useful and necessary to critically analyse achievements and examine real or perceived shortcomings regarding recognised minority languages and the regional language Low German.

The Federal Republic of Germany will address the Committee of Experts' findings in detail as part of its periodical report on 1 January 2024 in accordance with Article 15 (1) of the European Charter for Regional or Minority Languages. Germany may issue a statement after the Committee of Ministers' recommendations have been issued.

However, I would already like to provide you with some feedback related to possible ambiguities in the information and considerations provided by the Committee of Experts.

I would like to draw your attention to the following points:

The **Federal Ministry of the Interior and Community** points out that, generally speaking, the English term *civil servant* is misleading when used in the context of the German public administration. The German public administration differentiates between two types of employee: public employees/workers (*Tarifbeschäftigte*) and civil servants (*Beamte*). We assume that both types of employee are being referred to throughout the report, and so a more precise term is needed.

The **Federal Government Commissioner for Culture and the Media** points out that paragraph (9) needs to be corrected as follows: "The *Land* Schleswig-Holstein **provides funding to** the newly set up Foundation for the Frisian Ethnic Group in Land Schleswig-Holstein *Friisk Stifting*. **It also receives funding from the Federal Government Commissioner for Culture and the Media.**"

Hamburg does not agree with the Committee of Experts' assessment of Article 8 (1) (g), Article 9 (1) (b) (iii), Article 9 (1) (c) (iii), Article 10 (4) (c) and Article 11 (1) (e) (ii).

Lower Saxony does not agree with the Committee of Experts' assessment of Article 9 (1) (b) (iii) and (c) (iii) regarding Sater Frisian and of Article 9 (1) (b) (iii) and (c) (iii) regarding Low German. In addition, it does not agree with the assessment of Article 8 (1) (i) regarding Sater Frisian and Low German.

North Rhine-Westphalia does not agree with the Committee of Experts' assessment of Article 7 (1) (c), Article 7 (1) (d) and Article 7 (1) (f).

Saxony does not agree with the Committee of Experts' assessment of Article 8 (1) (i).

Schleswig-Holstein points out that the following sentence in paragraph (15) would be more accurate in the German as follows: "After 2020 amendments to the ordinance on appointments for teacher training, a successfully completed certificate course in Frisian **or Low German** is considered a bonus when awarding a traineeship place."

Paragraph (20) should be worded more accurately, as follows: "Specific provisions exist only for Upper and Lower Sorbian – section 184 of the Act on the Organisation of Courts (Gerichtsverfassungsgesetz) and **Land law** – as well as for North Frisian – **section 1 of the Frisian Act of Land Schleswig-Holstein**."

In regard to paragraph (21), the Committee of Experts points out that “in recent years, cases have been brought to the attention of the Committee of Experts of documents in regional or minority languages not accepted before courts.” Schleswig-Holstein notes that there have been no known cases in Schleswig-Holstein.

Paragraph (34) should be worded more accurately, as follows: “However, the Committee of Experts notes that the new NDR broadcasting agreement between the Länder Hamburg, Mecklenburg-Western Pomerania, Lower Saxony and Schleswig-Holstein, **in force as of 1 September 2021**, provides that regional or minority languages are to be “regularly and appropriately” taken into account.”

Paragraph (75) should be corrected to read as follows: “A supplementary **course for Low German as a complementary subject at Europa-Universität Flensburg (EUF)** is planned, which would allow the Low German certificate to be obtained also by students training to become teachers for other subjects than German.”

Paragraph (86) should be corrected to read as follows: “Since the authorities indicate that they **have not received requests from employees of the state administration in which the employees indicate that they wish to work in the territory where Danish is used**, ~~have not received requests from civil servants to be appointed in the territory where Danish is used~~, the Committee of Experts does not have sufficient information to conclude on the implementation of Article 10 (4) (c).

Paragraph (89) should be corrected to read as follows: “Although the legislation makes provision for taking into account requests from ~~civil servants~~ **employees of the Land administration or of the Nordfriesland district** to work in the area where North Frisian is spoken **in its respective Frisian variety**, the Committee of Experts did not receive any information about such practice in this respect.”

The following should be corrected in paragraph (96): “According to the periodical report, no requests have been made ~~by civil servants~~ **by employees of the Land administration** to be appointed in the area where Low German is spoken.

In regard to the **use of documents and evidence before courts** in the first sentence **of paragraph (46), we suggest the following clarification**: “There is no specific legal basis allowing documents and evidence to be submitted in Danish before courts, **however, section 142 (3) of the Code on Civil Procedure (Zivilprozessordnung, ZPO) applies, if applicable in conjunction with section 173 of the Code of Administrative Procedure (Verwaltungsgerichtsordnung, VwGO).**”

In regard to paragraph (89), we do not agree with the Committee of Experts’ opinion that *the use of documents and evidence is not legally possible in administrative proceedings*, with reference to section 142 (3) of the Code on Civil Procedure in conjunction with section 173 of the Code of Administrative Procedure, and we believe it is necessary to **remove this sentence from paragraph 89** (“The use of documents and evidence in Frisian is legally possible before courts in civil, but not in administrative proceedings”). Alternatively, it would be possible to add a note on the existing legal situation: “The use of documents and evidence in Frisian is **legally possible before courts in civil and administrative proceedings in accordance with section 142 (3) of the Code on Civil Procedure in conjunction with section 173 of the Code of Administrative Procedure.**”

Based on the legal situation, which, as described above, has remained unchanged for years, and considering that there have been no problems with documents and evidence before courts in Schleswig-Holstein, we do not understand why North Frisian has received a poorer assessment (paragraph (89)) compared to Article 9 (1) (c) (iii), going from being considered “formally fulfilled” to “not fulfilled”, as have Danish (paragraph (86), sentence 1) and Low German (paragraph (96), sentence 3) compared to Articles 9 (1) (b) (iii) and 9 (1) (c) (iii).

The Committee of Experts of the European Charter for Regional or Minority Languages is an independent body that evaluates the compliance of the States Parties with their undertakings and, where appropriate, encourages them to gradually reach a higher level of commitment.

The European Charter for Regional or Minority Languages, adopted by the Committee of Ministers of the Council of Europe on 25 June 1992 and entered into force on 1 March 1998, is the European convention for the protection and promotion of regional and minority languages. It is designed to enable speakers to use them both in private and public life and obliges the States Parties to actively promote the use of these languages in education, courts, administration, media, culture, economic and social life, and cross-border co-operation.

Regional or minority languages are part of Europe's cultural heritage and their protection and promotion contribute to the building of a Europe based on democracy and cultural diversity.

The text of the Charter is available in over 50 languages.

www.coe.int/minlang

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.