

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 410 (2017)¹ Regional and minority languages in Europe today

1. The Congress of Local and Regional Authorities of the Council of Europe (hereafter “the Congress”), recognising the close relationship between language and culture and in line with Council of Europe priorities, has long strived to support and sustain historical regional and minority languages as a means to promote Europe’s cultural wealth and traditions and linguistic diversity, with the aim of improving mutual understanding, based on the principles of democratic participation, cultural diversity and social cohesion.

2. The European Charter for Regional or Minority Languages (ETS No. 148), which opened for signature in 1992 and entered into force in 1998, is the only legally binding European instrument specifically drawn up to protect and promote Europe’s historical regional and minority languages, which are defined as those traditionally used within a State by a group of nationals numerically inferior to the national population as a whole.

3. Regrettably, until now, in 2017, only 25 European States have ratified the charter, and an additional 8 European States have signed it without ratification. This means that 14 European States have so far neither signed, nor ratified the charter.

4. While the parties to the charter remain the States themselves, local and regional authorities have a crucial role to play in its effective implementation. This allows them sufficient room for spontaneous implementation of the principles of the Charter in those member States that have not yet signed, nor ratified it.

5. Reaffirming the grounding principles of the charter that still hold true, both observations collected during the past decades of the charter’s existence – including examples of best practice, challenges and tensions – and new developments in society call for a renewal of the methods used for the charter’s implementation, without prejudice to the continuity of its fundamental principles and provisions.

6. Observations and complaints collected since 1998 – when the charter entered into force – show that ratification alone of the charter by any State is not a guarantee or proof of the effective protection of historical regional or minority languages without an effective and consistent implementation in daily practice. In addition, in some cases setbacks have been observed in the level of the protection of regional or minority languages. This underscores the importance of the different types of stakeholders involved in the implementation of the charter, in particular the essential role of regional and local authorities.

7. An effective implementation of the charter’s provisions therefore requires taking note of the dramatic social and technological changes brought about by digitalisation. Bearing this in mind, ten years after its Recommendation 222 (2007) on language education in regional or minority languages, the Congress has undertaken to look at the contemporary application of the charter in light of the new developments in order to discuss the best course of action to be taken by member States of the Council of Europe.

8. When setting costs against benefits, empirical evidence indicates that protecting and nurturing cultural diversity – including linguistic diversity – results in a positive outcome, both from an economic and a cultural perspective. Although policies for safeguarding regional and minority languages do have a cost, it is often quite over-estimated, and more than largely compensated by what is often referred to as the “diversity dividend”, with multilingual regions generally benefitting from more wealth, and offering higher incomes to the language-savvy individual. In some cases, such as when health-care services are offered to patients in their mother tongue, especially when the patients are small children, the additional expenses related to such services are vastly outweighed by their benefits.

9. However, in spite of now well-established research data, many member States of the Council of Europe have, since the post-2008 recession, made budget cutbacks directed towards education and services provided to speakers of minority languages. These cuts in spending point to short-sighted policies at the State, community and regional levels, and the adverse effects concern not only the cultural field but are also against the best interests – economic or otherwise – of the regions.

10. Regrettably, the European Union has withdrawn from most of its direct funding of schemes that support regional or minority languages. Nevertheless, one way to develop the resource base that supports the economy in the often remote regions (where users of such languages reside) is an active use of regional structural support offered by the States or by the European Union through their respective funding schemes. For example, the Interreg Europe projects run by the European Union² can be beneficial to the entire region and also to regional or minority languages. Efforts in this direction are likely to develop pay-offs, both economically and culturally, thus contributing to a virtuous circle for regional development. The protection of diversity in languages involves the necessity of re-entering direct funding of schemes of the European Union that support regional or minority languages.

11. Public authorities need to adapt the implementation of the charter according to the changes taking place in the modus operandi of almost all sectors of society as a result of digitalisation. These new developments provide both challenges and opportunities for protecting and nurturing Europe’s cultural wealth and traditions, including linguistic diversity. Without withholding traditional means of support, local and regional public policies should take into account the digital sector as a means of supporting, as far as possible, the use of regional or minority languages in educational, judicial and administrative settings, in the media, in cultural

activities, economic and social life, and in transfrontier exchanges.

12. Local and regional authorities are front-line providers of public services. As such, they should co-ordinate their action with their national authorities in order to adequately adapt the implementation of the charter. Local and regional authorities should become fully involved and should be given mandatory responsibilities and explicit powers in order that they can implement the necessary processes into their daily practice.

13. In light of the above, the Congress:

a. bearing in mind the European Charter for Regional or Minority Languages, Congress Recommendation 222 (2007) on language education in regional or minority languages, Recommendation 1773 (2006) of the Parliamentary Assembly of the Council of Europe entitled “The 2003 guidelines on the use of minority languages in the broadcast media and the Council of Europe standards: need to enhance co-operation and synergy with the OSCE”, Congress Recommendation 364 (2014) on the role of regional media as a tool for building participatory democracy, Congress Resolution 282 (2009) on the digital divide and e-inclusion in the regions, and Congress Recommendation 173 (2005) on regional media and transfrontier co-operation;

b. considering that:

i. in all instances, member States of the Council of Europe should be guided by the principle that cultural diversity is not only a fact, but also an enriching element of society, and that the protection of historical regional or minority languages constitutes the best protection of that diversity;

ii. the intercultural and multilingual approach of the charter calls for each category of historical regional or minority languages to be given its proper place, without prejudice to the need to learn official languages;

iii. any favourable provision in place regarding languages should not be negatively affected by the charter; where certain languages, or the minorities who practice them, already enjoy a protected status defined in domestic law or under international agreement, the most favourable provisions should apply;

iv. the purpose of the charter being to protect and promote traditional languages which, for historical reasons, have come under threat within the States where they are practised, the non-discrimination clause in the charter needs to be not only respected but also supported by measures taken voluntarily by member States;

c. asks the Committee of Ministers to invite those member States which have not yet done so to consider signing and ratifying the European Charter for Regional or Minority Languages, and to encourage current and future States Parties to strengthen their commitment to regional or minority languages;

d. calls on member States of the Council of Europe to:

i. act in favour of safeguarding historical regional or minority languages by facilitating and encouraging their written and spoken use, in both public and private life;

ii. refrain from bringing the weight of austerity measures to bear on regional or minority language policies, since their impact on public spending has been proven to be minimal;

iii. meet the need for effective co-operation and interaction between local, regional and national governments regarding the protection and promotion of historical regional or minority languages, as the lack of a clear division of administrative powers in relation to language issues risks hindering the implementation of good practice at regional level;

iv. guarantee regional and local authorities full involvement, mandatory responsibilities and explicit powers, with a clearly identifiable budgetary allocation, for the implementation of the processes necessary for their daily practice;

v. take steps to highlight the necessity to protect language diversity in Europe and encourage local and regional authorities to maintain their multilingual policies, by actively re-engaging in the direct funding of structural schemes that support regional or minority languages, both at national and European levels;

vi. refrain from barring local and regional authorities from taking positive action within the scope of their powers for the promotion of regional or minority languages, and from a short-sighted interpretation of the protection of these languages, including by abandoning the misconception that all protective measures are forbidden unless they have been specified separately and explicitly in law;

vii. reconsider, and where appropriate increase, the level of protection of historical regional or minority languages, including the possibility of granting regional official language status, when necessary, in areas where the number and/or the proportion of users of these languages exceeds a certain level;

viii. take measures to consolidate and develop, in the regions concerned, regional or minority language teaching and education in these languages, thereby contributing to the creation of a European space where regional or minority language education is systematically provided in a coherent fashion;

ix. develop better learning for students speaking regional or minority languages and, conversely, promote the learning of regional or minority languages among majority language speakers, ensuring that speakers of those languages are able to benefit from new forms of distance learning by developing new software that support their use;

x. fight the threat of “digital extinction” of regional or minority languages by supporting the development of language technology that takes these languages into account, including software that is tailored to local and regional conditions, and by ensuring service provision in these languages, including by electronic means;

xi. secure access to State-provided public services and procedures in regional or minority languages, including, but not

limited to, judicial matters, procedures relating to tax and pension administration, and health-care and social services, the ability of public authorities to provide digital services in regional or minority languages being essential, given the rapid development of such services in society at large;

xii. encourage and support public authorities at national, regional and local levels to consult and co-operate with representatives of regional or minority language speakers in developing and implementing their language policies and language services;

xiii. ensure, where relevant, access to cross-border digital broadcasting, or any other similar service provided in the regional or minority languages of a kin-State, to avoid the development of practices such as “geo-blocking”, which establish new virtual borders.

1. Discussed and approved by the Chamber of Regions on 19 October 2017, and adopted by the Congress on 20 October 2017, 3rd sitting (see Document CPR33(2017)02, explanatory memorandum), co-rapporteurs: Lelia HUNZIKER, Switzerland (L, SOC), and Anna MAGYAR, Hungary (R, EPP/CCE).
2. See www.interregeurope.eu/.