

33rd SESSION**Regional and minority languages in Europe today**Recommendation 410 (2017)¹

1. Recognising the close relation between language and culture, the Congress of Local and Regional Authorities, 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, and improve 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), opened to signature in 1992, and which came into force in 1998, has been serving since then as 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 nationals who form a group numerically smaller than the overall population.
3. Regrettably, as of 2017, only 25 European States have ratified the Charter, and additional eight European States have signed it, without ratification. This means that 14 European States neither ratified, nor signed the Charter.
4. While the States themselves remain the parties to the Charter, local and regional authorities have a crucial role to play in its effective implementation. This allows regional authorities in States which have not yet signed nor ratified the Charter a margin of manoeuvre for spontaneous implementations of the principles under the Charter.
5. Reaffirming the grounding principles of the Charter that still hold true, both observations – collected during the past decades of the existence of the Charter, including best practices, challenges and tensions – and new developments in society call for a renewal of the methods of the Charter's implementation without prejudice to the continuity of its fundamental principles and provisions.
6. Observations and complaints collected from 1998 – when the Charter entered in force – show that ratification of the Charter by any State is not a warrant or proof of the effective protection of the historical regional or minority languages without an effective and consistent implementation in daily practice. Also, in some cases, some setbacks have occurred in the level of the protection of the regional or minority language. This underscores the importance of the different types of stakeholders involved in the implementation of the Charter, and in particular, the role of the regional and local authorities.
7. An effective implementation of its provisions therefore requires taking note of the dramatic social and technical changes digitalisation has brought about. Bearing this in mind, ten years after its recommendation on language education on 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 in this context 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 cultural perspective. Although maintenance policies do have a cost, it is often quite over-

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).

estimated, and more than largely compensated by what is often referred to as the “diversity dividend”, multilingual regions generally benefitting from more wealth, and offering higher incomes to the language-savvy individual. In some cases, e.g. healthcare offered by using their mother language especially for small children, expenses related to such services are hardly comparable to their benefits.

9. However, in spite of now well-established data, many member States of the Council of Europe have engaged, since the post-2008 recession, in budget cutbacks directed towards education and services provided to minority language speakers. These cuts in spending point to short-sighted policies at the State, community and regional levels which are not only culturally harmful but 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 projects of 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 in society due to digitalisation. These new developments provide both challenges and opportunities in protecting and nurturing Europe’s cultural wealth and traditions, including linguistic diversity. Without withholding traditional support, local and regional public policies should take into account the digital sector as a means of supporting, in so far as possible, the use of regional or minority languages in education, judicial and administrative settings, in the media, in cultural activities, economic and social life, and transfrontier exchanges.

12. Local and regional authorities are front-line providers of public services; national authorities should therefore co-ordinate their action with them in order to adequately adapt the implementation of the Charter. Local and regional authorities should gain full involvement and mandatory responsibilities as well as explicit entitlement from the national authorities, in order to implement the processes necessary to daily practice.

13. In light of the above, the Congress:

a. bearing in mind The European Charter for Regional or Minority Languages (ETS No. 148), 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 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 an enriching element of society and that the protection of historical regional or minority languages constitutes the firmest protection of said diversity;

ii. the intercultural and multilingual approach of the Charter calls for each category of historical regional or minority languages being given their proper place and that the Charter is in no way directed against 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

² See <https://www.interregeurope.eu/>

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 have come under threat within the States where they reside due to historical reasons, the non-discrimination clause of the Charter needs to be not only respected but also supported by measures taken 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, encouraging current and future State parties to deepen their commitments to the 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 use in speech and writing, in 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 minor;

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

iv. guarantee regional and local authorities explicit entitlement, their full involvement and mandatory responsibilities, with clearly identified budgets, in order to implement 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 multilingual policies, by actively reengaging in the direct funding of structural schemes that support regional or minority languages, both at national and European level;

vi. refrain from barring local and regional authorities from taking positive action within their competences for the promotion of regional or minority languages, and also, from short-sighted interpretation of the protection of these languages, including the misconception that all protective measures are forbidden which are not specified separately and explicitly in law;

vii. reconsider, and where appropriate increase, the protection level of the 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 exceeds a certain level;

viii. take measures to consolidate and develop regional or minority language teaching and education on these languages in their regions, 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 teaching methods in State language learning for minority students and promote regional or minority language learning among majority language speakers, ensuring speakers of those languages are able to benefit from the new forms of distance-learning by developing new applications that support their use;

x. fight the threat of "digital extinction" of regional or minority languages by supporting language technology development that takes them into account, including applications that are suited for local conditions and ensuring service provision in these languages, also in the digital realm;

xi. secure access to State-provided public services and procedures in regional or minority languages, including but not limited to judicial matters, tax and pension procedures, 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 level to consult and co-operate with representatives of regional or minority language speakers in developing and implementing their language policies and language services;

xiii. secure, when pertinent, access to cross-border digital broadcasting and other services in a kin-State language to regional or minority language speakers, to side-step the rise of practices such as “geo-blocking”, which constitute a form of new virtual border.