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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**Sixth periodical report**  
**presented to the Secretary General of the Council of Europe**  
**in accordance with Article 15 of the Charter**

**NETHERLANDS**

# Sixth report from the Netherlands: 2015-2018

Under article 15, paragraph 1, of the European Charter for Regional or Minority Languages (Strasbourg, 5 November 1992)

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## 1. INTRODUCTION

Over the period 2015-2018 the Netherlands took the necessary steps to further strengthen policy on the languages covered by the European Charter for Regional or Minority Languages. This report examines the most important developments during this period and the recommendations adopted by the Committee of Ministers and the Committee of Experts in 2016.

In the process of adopting the Charter the Netherlands undertook to apply the provisions of Part II of the Charter to the following regional or non-territorial languages: Limburgish, Low Saxon, Yiddish and the languages of the Romani. The provisions of the Charter entered into force in the Kingdom of the Netherlands on 1 March 1998. Within the Kingdom the European Charter applies only to the country of the Netherlands.

As regards the Frisian language in the province of Fryslân the Netherlands has undertaken, in accordance with the provisions of article 2, paragraph 2 of the Charter, to apply a minimum of 35 paragraphs or sub-paragraphs chosen from among the provisions of Part III of the Charter. When adopting the Charter the Netherlands undertook to apply 48 provisions, selected in accordance with government policy on the Frisian language and culture.

The sixth report from the Netherlands was drafted in collaboration with the ministries and provinces concerned. During the reporting process, *'taaltafels'* (language round tables) were held for the first time at the initiative of the coordinating ministry (the Ministry of the Interior and Kingdom Relations), involving speakers of the regional languages as well as relevant representatives and organisations. The discussions focused on the use of the language, its future and ongoing projects. The outcomes of these discussions are set out separately for each language in this report.

The next part of the report outlines recent developments concerning languages recognised under the Charter. A short section is devoted to Papiamentu, Bildts and Dutch Sign Language. Part three addresses the recommendations of the Committee of Ministers. Part four examines in detail the findings of the Committee of Experts from the fifth monitoring cycle. The findings in respect of Part II of the Charter are examined first, followed by the findings concerning Part III.

Finally, the *Bestjoersôfspraak Fryske Taal en Kultuer 2019-2023* (Administrative Agreement on the Frisian Language and Culture 2019-2023; BFTK) and the agreement on Low Saxon are appended to this report.

## 2. LANGUAGES IN FOCUS

Frisian is recognised in the Netherlands under Part III of the Charter. The following languages are recognised under Part II: Low Saxon, Limburgish, Yiddish and Sinti-Romanes.

It has already been mentioned in previous reporting cycles that in practice responsibility for protecting and promoting regional and minority languages lies with subnational authorities. The provincial authorities have a primary role in this. Their direct link with the region and its inhabitants gives subnational authorities a better view of the situation and the wishes and needs of those who speak the regional language. Language situations differ markedly from one region to another. Since provincial and local authorities are closer to the situation on the ground than central government, they are in a better position to respond to these differences. Through the grants they provide, based on rules they set themselves, provincial authorities have their own relationship with the institutions involved in regional languages.

This part of the report first outlines developments concerning the Frisian language and culture before turning to the languages recognised under Part II of the Charter and the non-recognised languages Papiamentu, Bildts and Dutch Sign Language. The outcomes of the *taaltafel* discussions on the regional languages organised by the Ministry of the Interior and Kingdom Relations have been included.

### 2.1 Frisian

There have been a number of important recent developments concerning the Frisian language and culture. The Use of Frisian Act (*Wet gebruik Friese taal*) and the administrative agreements on the Frisian language and culture have helped further promote and safeguard the Frisian language and culture. The Minister of the Interior and Kingdom Relations appointed Fryslân provincial authority *Taalskipper* ('language captain') in 2017, after close consultations with the parties concerned. There have also been new developments in education.

#### 2.1.1 Use of Frisian Act

The Use of Frisian Act<sup>1</sup> entered into force on 1 January 2014. This legislation enshrines the status of the Frisian language in administrative and legal matters and the equivalence of the Dutch and Frisian languages in Fryslân. Central government and Fryslân provincial authority have a joint responsibility and duty of care for the Frisian language and culture, and periodically enter into administrative agreements elaborating that responsibility. The purpose of the act is to guarantee everyone in Fryslân the right to use their own language, whether it be Dutch or Frisian, in a court of law and in contact with administrative bodies, thus safeguarding the equal status of Frisian and Dutch in the province. The Act includes a general provision designating Dutch and Frisian as the two official languages of Fryslân. The act also provides for the establishment of an official body for the Frisian language.

#### 2.1.2 Advisory body on the Frisian language: DINGtiid

The Use of Frisian Act provides for the establishment of an official body for the Frisian language. This body, known as DINGtiid, reports, advises and issues alerts on matters concerning Frisian. It is responsible for promoting the equal status of Frisian and Dutch in Fryslân. DINGtiid advises central government and the provincial authority, and is funded jointly by them. Regular consultations are held between DINGtiid and central government, and between DINGtiid and Fryslân provincial authority.

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<sup>1</sup> Dutch text of legislation: <http://wetten.overheid.nl/BWBR0034047/2014-01-01>. Frisian text: <https://zoek.officielebekendmakingen.nl/stcrt-2014-17562.html>.

The DINGtiid work programme involves issuing recommendations and organising ‘DINGpetear’ talks, at which various stakeholders discuss a particular subject relating to the Frisian language, such as Frisian in education. These talks often prompt further research and recommendations.

#### *Advice and report on implementation of the European Charter*

In 2018 DINGtiid set out four recommendations to the Minister of the Interior and Kingdom Relations in its report *‘The Implementation of the European Charter for Regional and Minority Languages since Ratification in 1996’*:<sup>2</sup>

1. It would be good if central government were to enter into talks with the Council of Europe to bring the three-year reporting cycle into line with the four-year policy cycle of several member states: if these two cycles were to run concurrently, it would improve the provision of information and enable smoother implementation.
2. The Council of Europe is consistently critical of the way central government implements a number of provisions. Central government, for its part, points to structural problems with the implementation of those same provisions. This has led to an impasse, which is detrimental to the Frisian language. Central government should discuss this impasse with the Council of Europe. The province of Fryslân could act as mediator, in its role as *Taalskipper*.
3. To improve implementation central government should pay one or more working visits to Fryslân prior to reporting to the Council of Europe, so that it can receive detailed information from parties on the ground concerning the current situation with regard to Frisian, as well as identifying opportunities and problems.
4. DINGtiid has advised central government and Fryslân provincial authority to identify which provisions from the European Charter are being implemented inadequately or not at all, in the opinion of the Council of Europe, and why this is the case. Arrangements should then be made to deal with these ‘problematic’ provisions and be included in the next administrative agreement on the Frisian language and culture (BFTK), which is due to take effect in 2024.

In response to the recommendations, the Minister of the Interior acknowledged the large burden of reporting, and informed DINGtiid of the Council of Europe’s decision to align the reporting cycles of the Charter and the Framework Convention for the Protection of National Minorities. This change is expected to considerably reduce the burden of reporting and will, furthermore, enhance the quality of information provision to the Council of Europe.

As regards the impasse, the Minister stated that the Ministry has opted for a pragmatic approach in meeting its obligations under the Charter, and will continue to point to the statutory framework and administrative relations in the Netherlands. The Minister believes the *Taalskipper* has a role to play at subnational level.

In collaboration with the provincial authority, the Ministry of the Interior organised a *taaltafel Frysk* as part of the sixth report. This involved talks with young people on the use of Frisian, and with local and provincial officials on the Use of Frisian Act. A detailed report of the working visit and the *taaltafel* can be found later in this report. It has been agreed in the BFTK 2019-2023 that the provincial authority and central government will organise a working visit once a year for central government employees from ministries involved with Frisian language matters.

Finally, DINGtiid issued advice on the BFTK, the instrument that implements the Charter. Ways of implementing this recommendation and of agreeing more detailed arrangements in future administrative agreements will be examined in consultation with the provincial authority.

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<sup>2</sup> The report is available in Dutch or Frisian at <https://dingtiid.frl/posysje-frysk-ferbetterje-troch-effisjintere-gearwurking-ryk-en-europa/>.

### 2.1.3 *Bestjoersôfspraak Fryske Taal en Kultuer* (BFTK)

Central government and Fryslân provincial authority regularly make agreements on how to put into practice their shared responsibility and duty of care for the Frisian language and culture under the Use of Frisian Act (2014), the European Charter for Regional or Minority Languages (1998) and the Framework Convention for the Protection of National Minorities (2005). The *Bestjoersôfspraak Fryske Taal en Kultuer* (Administrative Agreement on the Frisian Language and Culture; BFTK) sets out arrangements for the use of Frisian in the following areas: education, the judicial authorities, the administrative authorities, public services, the media, culture, economic and social life and cross-border exchanges.

#### *Evaluation of the BFTK 2013-2018*

An interim evaluation of the BFTK 2013-2018 took place in 2016. The extent to which the goals of the administrative agreement were being achieved in areas like education, the judicial authorities and media was assessed on the basis of observations on the ground and the advisory reports of DINGtiid. The evaluation of the BFTK, which was performed in collaboration with the province of Fryslân, arrived at a generally positive assessment. Important steps had been taken at various levels to protect the Frisian language. The province had for example adopted the ‘Taalplan Frysk’ (Frisian Language Plan), which aims to ascertain what all Frisian schools are doing in terms of the Frisian language, and the extent to which they are complying with the attainment targets for Frisian. Monitoring of the use of Frisian in the judicial system has also been initiated. Previously announced cutbacks of €17 million a year for the regional broadcasting companies took effect on 1 January 2017. Every regional broadcasting company was required to shoulder some of this burden, including Omrop Fryslân. It has been agreed with the regional broadcasting companies that when making the cutbacks, they will attempt to spare programming and newsrooms as much as possible.

The drafting of language policy plans and language ordinances by subnational administrative bodies in the Frisian language area proved to be a point of concern. At the time of the evaluation most municipalities in Fryslân were not actively pursuing a language policy plan. DINGtiid recommended a stronger focus on the implementation of tasks and responsibilities to put efforts in support of the Frisian language on course. In the opinion of DINGtiid, the implementation of language legislation should be the responsibility of a *Taalskipper*. In consultation between the provincial authority and central government it was decided that the province of Fryslân should take on this role, which is described in more detail below.

#### *BFTK 2019-2023*

The BFTK 2019-2023 was drafted in close collaboration with Fryslân provincial authority. Preparations for the new BFTK began in late 2017. Talks took place regularly between the provincial authority, the Ministry of the Interior (responsible for coordination) and other central government ministries involved, such as the Ministry of Education, Culture and Science and the Ministry of Justice and Security. The official body for the Frisian language, DINGtiid, was closely involved in the process, as stipulated in the Use of Frisian Act. In the preliminary stages the provincial authority also spoke with almost all organisations concerned with the Frisian language, such as the Ried fan de Fryske Beweging, the Fryske Akademy and language promotion institute Afûk. The outcomes of the discussions were taken into account in the drafting of the administrative agreement where possible and applicable. The agreements set out in the BFTK fall under the statutory frameworks applicable in the Netherlands and take a pragmatic approach to safeguarding and promoting the Frisian language in the long term, based on the principle that use of Frisian is not only a right, but as part of the regional identity it is also indisputable. The BFTK 2019-2023 covers not only the use of Frisian in the areas described in Part III of the Charter, but also other matters, such as the provincial authority’s role as *Taalskipper* and the 2014 legislation. The new administrative agreement entered into force on 1 January 2019.

Unlike previous administrative agreements the BFTK 2019-2023 sets out a vision for Frisian in 2030 in the areas covered by the agreement. Both central government and the provincial authority will strive to increase the use of Frisian in the public domain in Fryslân, thus also raising its visibility in that

domain.<sup>3</sup> The agreement also stipulates that an exploratory study will be conducted to establish the benefits of transforming the Use of Frisian Act into a framework act. An overview will also be compiled of all non-ratified articles of the Charter that could be incorporated into a future administrative agreement.

In line with the ambitions set out for education, the goal is for a greater number of people to speak, read and write Frisian by 2030. A distinction has been drawn between those whose mother tongue is Frisian and those for whom it is a second language. In addition central government will earmark funding for the chair in Frisian language and culture at Groningen University, and a review of the curriculum. The role of the Education Inspectorate is also more clearly defined. Recent developments and agreements in the BFTK are discussed in more detail below.

The legal status of Omrop Fryslân is regulated by the Media Act 2008. The recognisability of Omrop Fryslân and the independence of its media programming will be safeguarded during the term of the BFTK, in accordance with the legislation.

Agreements concerning the use of Frisian by administrative authorities comprise making forms available in Frisian for the nomination of candidates for elections to the House of Representatives, the Senate and the European Parliament. The Ministry of the Interior and Kingdom Relations will also budget €150,000 a year during the term of the BFTK for the province of Fryslân to implement its tasks under the Use of Frisian Act.

Central government and the provincial authority will strive to ensure that use of the Frisian language is natural and indisputable, given the added value that use of the language can bring in a Frisian multilingual context. They will therefore invite judicial and administrative authorities and public services in Fryslân to discuss whether this will be feasible by 2030. Given the constitutional status of the judiciary and the signatories to the administrative agreement, the BFTK may not contain any agreements pertaining to the judiciary. The province will consult with the Northern Netherlands district court and the Arnhem-Leeuwarden Court of Appeal. Agreements made between the province and the judicial authorities will be laid down separately.

The ambition is also to strengthen the position of Frisian under the Social Support Act. With regard to cross-border cooperation Dutch embassies will be encouraged to take account of the legal status of the Frisian language and culture in public diplomacy and cultural policy.

#### 2.1.4 *Taalskipper Frysk*

As the authority most closely involved, the province has, in consultation with central government, fulfilled the role of '*Taalskipper*' ('language captain') since 2017. The role of *Taalskipper* has been included in the BFTK 2019-2023 and is also described in the launch document '*De Taalskipper Frysk*'.<sup>4</sup>

The *Taalskipper* is an organisation and/or individual who provides active, structural guidance in the implementation of agreements between central government and the provincial authority concerning the Frisian language and culture. The *Taalskipper* coordinates, connects and inspires in matters of the Frisian language in the province of Fryslân, in consultation with central government. It takes the lead in bringing all subnational stakeholders together, and steps in where opportunities have been overlooked.

Fryslân provincial authority plays the role of *Taalskipper*. More specifically, this role is fulfilled by the member of the provincial executive with responsibility for the Frisian language and culture and the King's Commissioner of the province of Fryslân. The *Taalskipper* actively promotes collaboration among the parties involved in order to fulfil the agreements based on the Use of Frisian Act, provisions pertaining to the Frisian language in education legislation, the BFTK, the European Charter

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<sup>3</sup> See BFTK chapter 1.5.

<sup>4</sup> <https://www.rijksoverheid.nl/documenten/brochures/2018/12/21/de-Taalskipper-frysk>.

for Regional and Minority Languages and the Framework Act on the Protection of National Minorities.

In fleshing out the role of *Taalskipper*, it must be made clear that the province currently has three interconnected tasks in this regard:

1. since 1989, to ensure that administrative agreements on Frisian language and culture (BFTKs) are drafted and implemented in cooperation with central government and other stakeholders;
2. since the entry into force of the Use of Frisian Act on 1 January 2014, to ensure that the administrative bodies involved in the Act (Frisian local authorities and FUMO, Fryslân Safety Region and Wetterskip Fryslân) promote the implementation of the language legislation by, among other things, drafting an ordinance and a Frisian language policy plan;
3. since 2014, the provincial council has been mandated to set attainment targets for Frisian, and since 2015, the provincial executive has been authorised to grant schools partial exemption from teaching Frisian. These tasks were delegated to the province in accordance with amendments to national education legislation.

The purpose of the *Taalskipper* is to inspire all subnational stakeholders involved in matters pertaining to the Frisian language to collaborate where possible to fulfil the agreements reached between central government and the provincial authority to safeguard and promote the Frisian language and culture. This is based on the central government and provincial authority's shared responsibility and duty of care for the promotion of Frisian, as set out in the Use of Frisian Act and the BFTK. It must be noted that central government (particularly the Minister of the Interior and Kingdom Relations, as coordinating minister), while working towards this goal as well as implementing the agreements in the BFTK, retains its own responsibility as legislator and signatory to the European Charter for Regional and Minority Languages and the Framework Act on the Protection of National Minorities, which have been ratified by the Netherlands.

#### 2.1.5 Frisian in education

The Primary Education Act (WPO)<sup>5</sup> and the Secondary Education Act (WVO)<sup>6</sup> stipulate that education in Frisian must be provided in the province of Fryslân. Schools have a statutory obligation to offer Frisian as a subject. The provincial executive may grant partial or full exemption from this obligation, based on criteria set out in an administrative rule. During the term of this administrative agreement, education policy in the province of Fryslân will be further implemented on the basis of the provincial administrative rule on obtaining exemption from teaching Frisian in primary and secondary education.<sup>7</sup>

The *Taalplan Frysk* (Frisian Language Plan) project is designed to implement the administrative rule. The first phase of the *Taalplan Frysk* – performing a baseline measurement of the current situation – was completed in 2018.<sup>8</sup> A *Taalplan Frysk* has been drawn up for each school, setting out among other things what attainment targets for Frisian are currently being met by the school and what its ambitions are in this regard. The provincial executive assigns each school a teaching profile based on its language plan. A school with an 'A profile' achieves all the attainment targets. Schools that achieve only some of the attainment targets are given a lower-grade profile, and thus may be granted a temporary full or partial exemption.

The analysis of the outcomes of the *Taalplan Frysk* will be used to offer schools customised support to raise the quality and standard of Frisian teaching. After the school's Frisian teaching profile has been established, it will be revisited after four years. The goal is for all schools in the Frisian language

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<sup>5</sup> <https://wetten.overheid.nl/BWBR0003420/2018-08-01>.

<sup>6</sup> <https://wetten.overheid.nl/BWBR0002399/2019-01-01>.

<sup>7</sup> <https://zoek.officielebekendmakingen.nl/prb-2015-3671.html>.

<sup>8</sup> N.A. Varkevisser & A.P. Walsweer (2018), *It is mei sizzen net te dwaan – Rapport taalplan Frysk: inventarisatie naar de stand van zaken m.b.t. het (vak) Fries in het primair en voortgezet onderwijs*.

area to comply with all the attainment targets for the subject of Frisian after three cycles of the *Taalplan Frysk* (by 2030 at the latest) and for none to receive exemption, neither full nor partial.<sup>9</sup>

The agreements set out in the BFTK 2019-2023 are designed to create a continuous learning trajectory from preschool to higher education. Besides mandatory teaching of Frisian in primary and secondary schools, the provincial authority will continue discussions with the childcare sector and secondary vocational schools on the teaching and use of Frisian.

The University of Groningen's Minorities & Multilingualism Department has a chair in Frisian language and literature. The university receives €110,000 a year each from the Ministry of the Interior and the provincial authority for the duration of the BFTK to maintain the chair in Frisian language and literature.

Under the amendment to the education legislation in 2014, Fryslân provincial council has the authority to set attainment targets for the subject of Frisian in primary education, secondary education and special education. During the process of reforming the attainment targets for Frisian, the province of Fryslân launched a process parallel to the national curriculum review, curriculum.nu. The BFTK provides that the Ministry of Education, Culture and Science will provide one-off compensation for the costs of releasing teachers in the development team and at the development school from their teaching duties so that they can participate. The Ministry of Education, Culture and Science and the province of Fryslân will discuss how the reform of the attainment targets for Frisian can in future be aligned as much as possible with the national curriculum.nu process.

The Education Inspectorate supervises Frisian language teaching, as it does teaching in other subjects. Its role with regard to Frisian is clearly defined in the BFTK 2019-2023. During its four-yearly reviews of boards and schools, the Inspectorate will check how school boards monitor and enhance the quality of the teaching materials offered, including teaching materials for Frisian. Since 2018 the Inspectorate has used a new supervisory framework that applies equally to all subjects, including Frisian. If there are signs that the teaching offered does not meet statutory requirements, the Inspectorate will issue an order to rectify the situation. The Inspectorate will also conduct two special studies during the coming three language plan (*Taalplan*) cycles up to 2030, to monitor developments in the teaching offered in Frisian. The studies will use a random sample of schools with different language profiles.

#### 2.1.6 Working visits and *Taaltafel Frysk*

In January 2018, as part of the process of drafting the BFTK 2019-2023, central government employees involved with the administrative agreement paid a working visit to the province of Fryslân. They were accompanied on their visit by officials from Fryslân provincial authority and representatives of the official body DINGtiid.

The working visit was intended to familiarise central government employees with a number of domains covered by the BFTK: education, the judicial system, the media and healthcare. During a visit to the Drachtster Lyceum secondary school, they were shown how Frisian is taught in secondary schools. After a brief talk about the subject, they could talk to a number of pupils during a Frisian lesson. Many of the pupils said they had chosen the subject because they speak Frisian at home. The language is an important part of their identity. Yet the subject is also taken by students who do not come from a Frisian-speaking household. With regard to the judicial domain the delegation met with Hanny Elzinga, criminal lawyer at Arnhem-Leeuwarden Court of Appeal and member of DINGtiid, who underlined the importance of Frisian in the judicial system. She highlighted the need for promoting Frisian more strongly both in the court system and in the police service. Many people automatically regard Dutch as the norm, while the use of Frisian can actually help to solve cases. During a visit to Omrop Fryslân the position of Frisian in the media was discussed. Omrop Fryslân has

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<sup>9</sup> The Frisian language area encompasses all municipalities in Friesland except for the Frisian Islands and the municipality of Weststellingwerf.

the second-highest viewing figures of all regional broadcasters, and is the only regional broadcaster to produce programming for schools. It has a policy of using Frisian as much as possible, but in interviews it leaves the choice of language to the interviewee. Finally, the delegation visited the Medisch Centrum Leeuwarden hospital, where Afûk and a member of the hospital staff spoke about the importance of and scope for use of Frisian in healthcare. Use of Frisian leads to better quality of care. When they first meet a patient to discuss their medical history, staff ask which language they prefer to use and try to take this into consideration in their treatment. A doctor at the hospital has launched a project in which patients can watch informational videos in Frisian at home about their treatment or hospital appointment.

The BFTK 2019-2023 states that the coordinating ministry – the Ministry of the Interior – and the provincial authority will organise annual introductory working visits to Fryslân. This is designed to enhance the basic level of knowledge of the Frisian language and culture among the central government employees involved. The first of these working visits took place in March 2019. At the request of the Ministry of the Interior, an alternative interactive version of a *taaltafel* also place at which discussions were held with young people, local and provincial officials and Afûk staff members.

The *taaltafel* ('language roundtable') consisted of a discussion on the use of Frisian with pupils and with local and provincial officials. A play entitled 'De Grins' provided the setting for the discussion. Pupils from the Montessori High School in Leeuwarden had been invited to talk about Frisian at the first session of the *taaltafel*, in particular the extent to which Frisian is used, what Frisian means to the pupils and whether they planned to use Frisian at work and at home in the future. The group included pupils who did and pupils who didn't take Frisian as a subject. Many of the pupils who had decided to take Frisian had done so because they speak Frisian at home. As was found in the discussions with pupils in 2018, they often regard Frisian as part of their identity. A number of pupils saw being able to speak Frisian as a benefit in terms of future career choices. They also said they would like to raise their own children to be bilingual. Pupils who did not take Frisian did not speak Frisian at home. They did not feel a connection with the language, nor did they see the benefit of learning Frisian. In a few cases pupils reported having negative associations with Frisian, which appeared to be connected with their inability to understand the language. The pupils who did not speak Frisian did not view multilingualism negatively, but if they had to choose between English and Frisian they would opt for English, even though they also saw speaking Frisian as part of a Frisian identity.

The second *taaltafel* session consisted of three rounds of discussions with local, provincial and central government employees<sup>10</sup> on the implementation of the Use of Frisian Act and the associated language policy at local and provincial level. It emerged that, besides legislation, agreements – some of them laid down officially – about the use of Frisian by government employees determine the extent to which Frisian is used. The attitude of senior staff towards the language can be decisive in determining the degree to which Frisian is spoken by those lower in the hierarchy. Both local and provincial authorities have language policies. The provincial authority takes its lead from the language used by residents in their first contact with the authority. This language is then also used in the province's future dealings with a resident. Within its own organisation, the provincial authority's target is to submit a quarter of documents to the executive in Frisian, always to respond in Frisian to questions put to the executive in Frisian, and to provide as much Frisian content as possible on websites. The municipality of Súdwest-Fryslân, which resulted from a merger of smaller municipalities in 2011, welcomes both Dutch and Frisian and aims to actively present itself as a bilingual municipality. Current language policy was drawn up on the basis of a survey of residents, and is based on the highest level of Frisian language policy in the municipalities that existed before

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<sup>10</sup> The *taaltafel* participants were staff members of Fryslân provincial authority and the municipalities of Súdwest-Fryslân and Tytsjerksteradiel, the Ministry of the Interior and Kingdom Relations, the Ministry of Education, Culture and Science and the Ministry of Foreign Affairs, and Afûk and DINGtiid.

the boundary changes. The municipal authority is currently reviewing its language policy again, now that the municipality of Littenseradiel, a resolutely Frisian-speaking community, has joined Súdwest-Fryslân. Leeuwarden city council is also currently conducting a survey among its staff and residents, and is drafting a new language policy after the recent boundary changes. There is a particular focus on the relationship between the city and the surrounding villages, many of which are Frisian-speaking. The extent to which residents are aware of their rights under the Use of Frisian Act was also discussed. It was pointed out that it is not always clear that residents have the right to speak Frisian. Municipal authorities and the courts could be more active in inviting people to use Frisian.

The working visit focused on Frisian in education. It included a visit to Friesland College, where staff of the school and of Afûk discussed Frisian in secondary vocational education. Afûk supplies subject-specific assignments for secondary vocational students in which Frisian plays a role. Friesland College's Language Centre has offered Frisian for two years now. It is an optional subject, and is therefore available to students on various training courses. The Language Centre teaches the subject in relation to real-life situations. Frisian is important because it has deep roots, particularly in villages and in the people themselves. Students will therefore regularly encounter Frisian in their work in the province. Ability to speak and write Frisian is beneficial to an electrician who goes to work for a Frisian-speaking client, for example. Speaking the same language bolsters their client relationship. Both Afûk and Friesland College said that in secondary vocational education subjects are really only taken seriously when industry and the authorities indicate that they are important. Frisian still has to gain a foothold. The BFTK 2019-2023 also contains agreements about Frisian in secondary vocational education. Finally, the working visit included a visit to the NHL Stenden university of applied sciences, which offers primary school teacher training, including proficiency in Frisian teaching. A distinction is made between Frisian for native speakers and non-Frisian speakers. NHL Stenden also offers grade one and grade two secondary teaching qualifications in Frisian. Students have the option to train simultaneously as Dutch teachers. During the visit one of the students was interviewed and information was given on the development of the Frisia test, an adaptive online test that allows comparison with other languages.

### 2.1.7 Demographic data

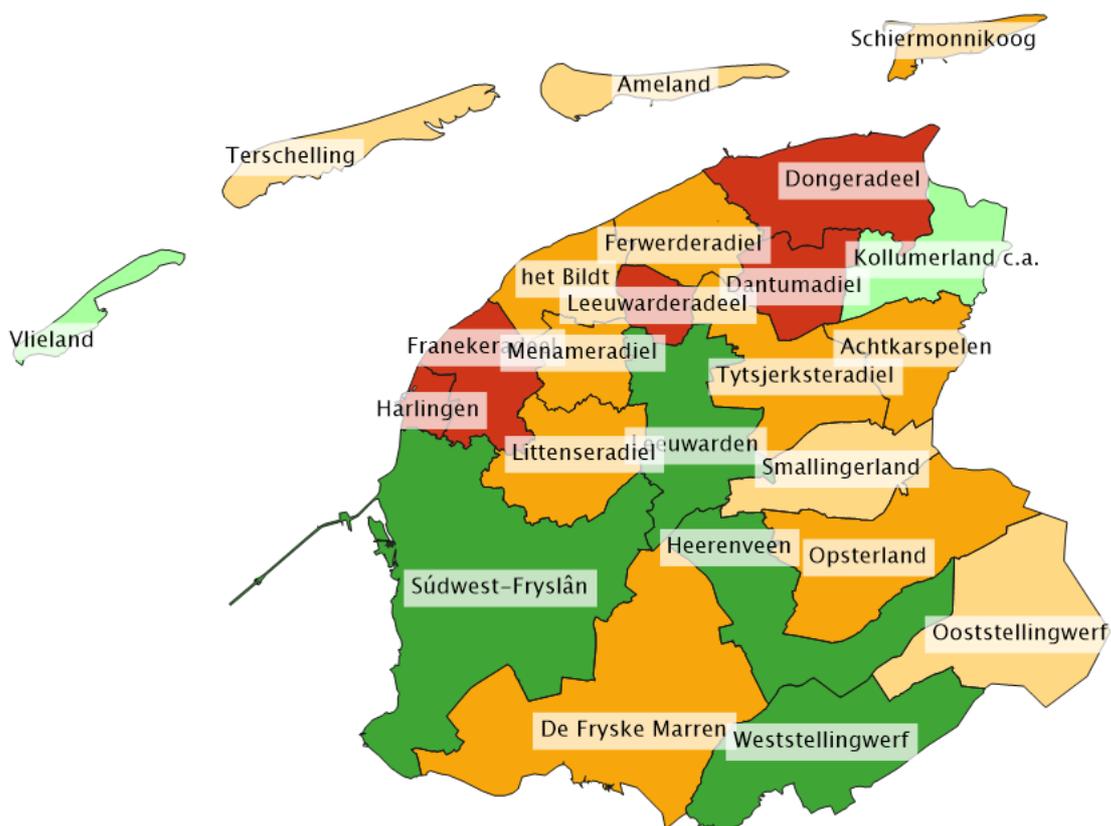
#### Population profile and trends in Fryslân province

The tables and diagrams below show the population profile and trends in Fryslân province. They also include migration figures, and numbers of people moving into and out of the province. The figures and diagrams come from the database of the Frisian Institute for Social Research.

Population profile of Fryslân by age <sup>11</sup>	
Age	Population
Total	646,874
0-19	148,427
20-29	71,892
30-39	69,620
40-49	88,011
50-59	94,259
60-69	84,268
70-79	58,880
80 and over	31,517

Total population of Fryslân 2011-2017	
Year	Total population
2011	647,282
2012	647,214
2013	646,862
2014	646,317
2015	646,257
2016	646,040
2017	646,874

*Population growth/decline in Fryslân province, 2017*



<sup>11</sup> At 1 January 2017.

### Proficiency in Frisian<sup>12</sup>

Fryslân provincial authority conducts a survey of the state of the Frisian language (*Fryske Taalatlas*) once every four years. The results show that between 2007, when the survey was first conducted, and 2015 proficiency in Frisian improved slightly in all respects, i.e. speaking, listening, reading and writing. According to the 2015 *Taalatlas*, 85% of residents understand Frisian well to very well and almost 70% can speak the language well to very well. Of all language skills, proficiency in speaking has improved most markedly over the past few years.

The Fryske Akademy's language survey *taal yn Fryslân, de folgjende generaasje* was published in 2018. It was a follow-up to previous surveys of the state of the Frisian language (1969, 1984, 1995). Its main conclusion is that, though the use of Frisian has fallen slightly over the past 50 years, this decline has been smaller than expected. Around 85% of people understand Frisian, 69% speak it and 18% say they can write Frisian, compared to 4% in 1994.

#### [text in figure]

Able to understand Frisian (%)

Able to speak Frisian (%)

Able to read Frisian (%)

Able to write Frisian (%)

very well

well

reasonably well

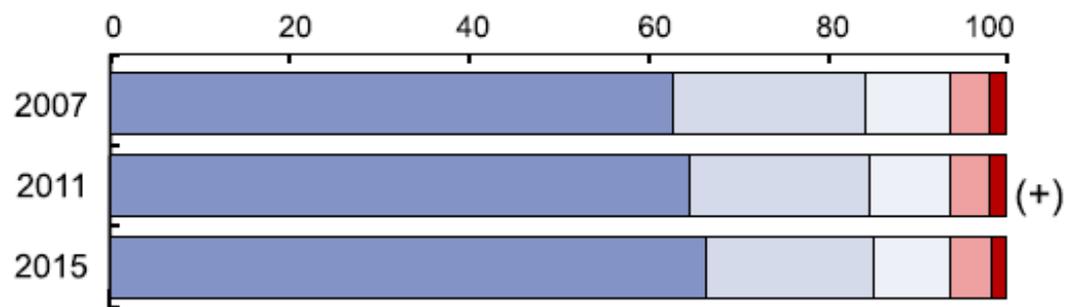
with difficulty

not at all

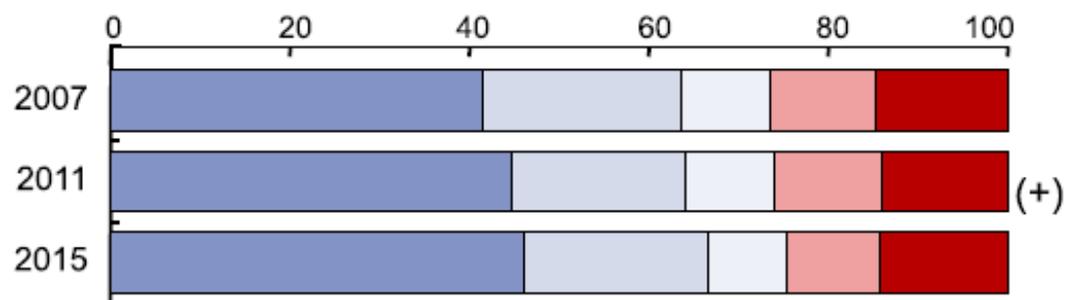
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<sup>12</sup> Survey of Frisian language use, conducted by Fryslân provincial authority in 2015.

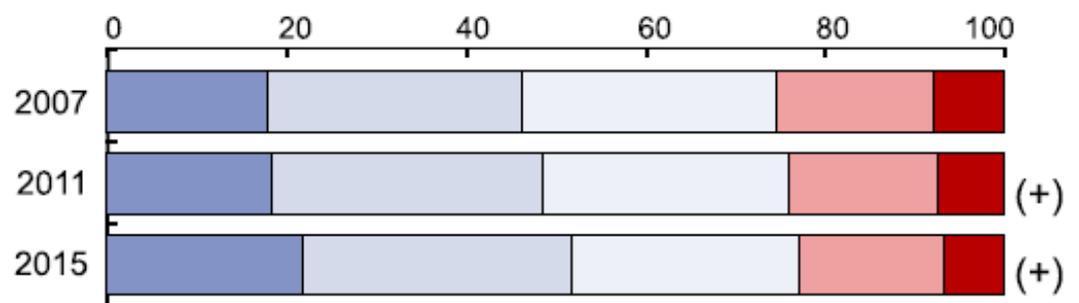
### Fries kunnen verstaan (%)



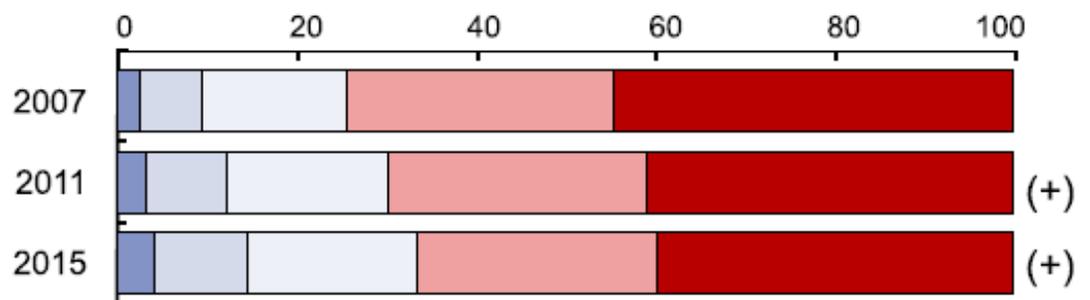
### Fries kunnen spreken (%)



### Fries kunnen lezen (%)



### Fries kunnen schrijven (%)



## 2.2 Minority languages recognised under Part II of the Charter

### 2.2.1 Regional language symposium 2017

In response to the Committee of Experts' repeated recommendation concerning the lack of dialogue with the language groups, the Ministry of the Interior organised its first regional language symposium in 2017. The symposium helped re-establish contact between central government and subnational authorities, and between central government and the organisations concerned.

The *Spreek maar!* Regional Language Symposium 2017 was held in Deventer on Tuesday 7 November. The purpose of the event was to bring together policymakers, speakers, language institutes and experts on the recognised regional languages (Frisian, Low Saxon and Limburgish) so that they could share knowledge and experiences on the main theme: effective promotion of regional languages.

Over 90 people took part, representing the provincial authorities in Fryslân, Limburg, Drenthe, Groningen and Overijssel, the Dutch Language Union, the Meertens Institute, the Fryske Akademy, the IJsselacademie, the University of Amsterdam, the University of Groningen, Maastricht University, Afûk and SONT, the association of regional language institutes in the Low Saxon language area. Only five of the 142 municipal authorities that had been invited were represented, raising the question of whether there is sufficient awareness of this issue at this tier.

Keynote speeches were given by the chair of SONT and Ger Koopmans (former MP and currently member of the Limburg provincial executive with responsibility for finance, sport and culture). They expressed their appreciation for the Ministry of the Interior's initiative, underlined the importance of regional languages and called for a practical approach to promoting regional languages rather than imposing obligations.

At three workshops, three academic lectures and a networking meeting, the participants discussed academic insights and the practical aspects of promoting regional languages. The sessions covered use of the regional language at all stages of life, from playgroups to elderly care.

There will be a follow-up to the regional language symposium in 2019.

### 2.2.2 Low Saxon

The previous report discussed the application for recognition of Low Saxon under Part III of the Charter, submitted by the provincial and local authorities in the Low Saxon language area.

The Low Saxon language bodies (affiliated to SONT, the association of regional language institutes) and the subnational authorities lobbied for recognition under Part III of the Charter up to 2015. A study by central government found that in the case of Low Saxon the conditions for applying Part III could not be met. From 2015 central government and the subnational authorities in the Low Saxon language area discussed an alternative to recognition under Part III, resulting in an administrative agreement on Low Saxon which was signed on 10 October 2018 by the Minister of the Interior; members of the provincial executive for Drenthe, Overijssel, Groningen, Gelderland and Fryslân; and the mayors of Ooststellingwerf and Weststellingwerf (the two Low Saxon municipalities in Fryslân).

The administrative agreement recognises Low Saxon as an intrinsic part of the language system of the Netherlands (article 1 of the agreement) and underlines the importance of its continued existence. Signing the agreement constituted a declaration of intent on the part of the provincial and municipal authorities to abandon their efforts to have Low Saxon recognised under Part III. It was also agreed that no new legislation or other obligations or rules would be introduced.

Under the administrative agreement, the parties agree to make every effort for and to collaborate on the preservation of Low Saxon. The agreement guarantees consultation and collaboration between the authorities concerned. It will be up to the subnational authorities to take the initiative, with central government playing an additional role where necessary. The parties will agree by consensus how precisely the agreement is to be implemented.

Overijssel currently chairs the group of signatories. It has been agreed that the chair will rotate every two years. Groningen province will take over in 2020. The authorities involved have already met twice at official level and once at political level to discuss implementation of the agreement by means of various initiatives in the language area and to discuss the long-term strategies for Low Saxon. The Ministry of the Interior takes part in the official consultations.

#### *Low Saxon 'taaltafel'*

At the request of the Ministry of the Interior, on 26 February 2019 SONT organised a Low Saxon *taaltafel* (language roundtable) in Ommen. Nine organisations associated with Low Saxon were in attendance.<sup>13</sup> The discussions focused on the organisations' ongoing projects, the future of Low Saxon and the impact of the administrative agreement on Low Saxon.

Six months after the agreement was signed, most of the organisations believed it had had a positive impact. They reported that appreciation for the language, and young people's interest in it, had increased. The many media items were also regarded as positive. Particular appreciation was expressed for the fact that NS, the Dutch railways, made its announcements in Low Saxon at train stations in the language region on the day the agreement was signed. It was noted that the psychological effect of the agreement should not be underestimated. Its role in raising awareness is more important than funding. It was also observed that regional language is a growing political issue at subnational level. At a more tangible level, the agreement appears to have resulted in more participants in Low Saxon language classes in Ooststellingwerf and Weststellingwerf, for example, and in a growth in membership of the Achterhoek & Liemers dialect circle.

There are many other projects in addition to the regional language courses and music and song festivals organised throughout the language area. Both the IJsselacademie and the Grunneger Sproak organisation run projects on regional language in healthcare. The IJsselacademie is also working on a historical project in which farmers in the region are interviewed in the regional language. The institution also awards a prize for the best secondary school graduation project written in the regional language. In Ooststellingwerf and Weststellingwerf the 'Stellingwarver Schrieversronte' produces input in Stellingwarfs for the 'De Veerkieker' teaching method, and makes other contributions to the teaching of local history and geography. From September 2019 all lessons in this teaching method will use Stellingwarfs. A film entitled 'Daor klept de klokke weer', about a turbulent period in the history of the Stellingwerf region, premiered recently. The Huus van de Taol devised the Wiesneus teaching method. Originally intended for Drèents, it is now available for five dialects of Low Saxon, and 53,500 copies have been ordered for 2019. Besides the textbook, there is also a website.<sup>14</sup> The Huus van de Taol and NHL Stenden are also working in Drenthe on a project entitled 'Drèents and German in education'. The Huus van de Taol commissioned research consultancy Drents Panel to conduct a poll of the state of Drèents and attitudes to the language. It showed that the number of speakers has grown by 1% in the last 11 years and attitudes to the language have improved. In Groningen the 'Woordwaark' project has been launched in collaboration with the University of Groningen to record pronunciation of different versions of Low Saxon in Groningen. Finally, these organisations observed that various media outlets, such as the daily newspaper *Dagblad van het Noorden* and media in the Stellingwerf region, regularly publish items on and in the regional language.

As regards the future of Low Saxon, the organisations observed that attitudes to this regional language are clearly improving. Although prejudices about the regional language being 'unrefined' are gradually declining, certain myths about regional languages persist and must be addressed. The advantages of multilingualism could also be highlighted more effectively. The IJsselacademie notes that the Low Saxon regional languages should stop stereotyping each other, and do more to embrace

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<sup>13</sup> Urker Taol, Erfgoedcentrum Achterhoek Liemers, Dialectkring Achterhoek & Liemers, Vrienden van de streektaal Lochem, Kreenk vuur de Twentse Sproak, Stellingwerfer Schrieversronte, Huus van de Taol, IJsselacademie and Stichting de Grunneger Sproak.

<sup>14</sup> [www.wiesneus.nl](http://www.wiesneus.nl).

the pluralism of Low Saxon. In this context, there is some debate at the language institutes on the extent to which standard spelling is necessary for a living language. In other regions – including Drenthe, Groningen, the Achterhoek and Stellingwerf – people have been using standard spelling for decades. More and more language material is becoming available for young people, such as the various teaching methods. The number of publications in Low Saxon is also growing, although these often target an older readership. Young people can be reached more effectively through social media and YouTube. One of the delegates highlighted the importance of also involving those in the intermediate age group (aged 25-50) in the preservation of the language, as parents play a vital role in passing on the regional language. Finally, the institutions noted the importance of professional staff and continuity to guarantee the future of the regional language.

### 2.2.3 Limburgish

Language policy on Limburgish is made by Limburg provincial authority and Limburgish language organisations. It is based on a framework policy document on the intangible cultural heritage entitled 'Toekomst voor Erfgoed! 2016-2019' ('Future for Heritage!'). Another policy document specifically on Limburgish as a regional language "'n Laeve lank Limburgs"<sup>15</sup> sets out the vision and key goals of the regional language organisations. They will be worked out in further detail over the coming period in collaboration with partners in culture and education.

Limburg provincial authority notes two developments in the province. While Limburgish still has a strong social position in Limburg in 2018, there are clear signs that use of the language is declining. The provincial authority stresses the importance of preserving Limburgish. It plays an important role in providing cohesiveness in the community and is fundamentally part of the province's cultural heritage. The provincial authority wants to facilitate and support the preservation of Limburgish, as it regards this as part of its role.

The policy document "'n Laeve lank Limburgs" sets out the goal of having at least the same number of Limburgish speakers in 10 years' time as there are in the province today. The document defines the following policy priorities:

- enhance the visibility of and regard for Limburgish as a regional language;
- promote bilingualism in education, with a particular focus on the ratio of Dutch to Limburgish;
- strengthen the language infrastructure with the aim of consolidating the position of Limburgish and all its different dialects.

These objectives, which constitute a mature language policy, require a mature official body. A more professional body could ensure the right conditions for a mature language policy in Limburg, guaranteeing a coordinated approach and professional facilitation of regional language policy.

1. The official body should be an undisputed authority in the broad field of Limburgish.
2. Its composition should ensure it has sufficient support among all stakeholders.
3. It should have the expertise and human resources to give Limburgish a distinctive role in language policy with a view to establishing the cultural identity of Limburg.

Such an authority should lead to more collaboration, harmonisation, complementarity and strength in the Limburgish regional language field. The concept will be expanded further in 2019, jointly with partners from education and culture. There is a lot of potential for promoting Limburgish in collaboration with, and tying into, existing local initiatives. One key partner in Limburg is the education sector. Limburg provincial authority will facilitate a language pilot project at a number of day nurseries in 2019 to promote the speaking of Limburgish with toddlers. The pilot builds on research by the Chair of Limburgish at Maastricht University.

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<sup>15</sup> <https://www.veldeke.net/wp-content/uploads/2018/08/KadernotaStreektaalbeleid.pdf>.

Limburg provincial authority also intends to explore how it might facilitate the ‘Limburgish Corpus Dictionair’ project. This digital infrastructure will combine several language products, including an online Digital Library of Limburgish. The primary purpose of the Dictionair will be to strengthen the use of Limburgish for general and everyday communication in digital and social media. This will simplify the use of written Limburgish for all Limburgers who regard themselves as proficient in the language.

The Chair of Limburgish and the regional language organisations underline the importance of Limburgish as a working language and as a school subject. This was also recommended by the Charter’s Committee of Experts and by UNESCO experts. If Limburgish is learnt only within a family context its status is ‘vulnerable’, according to UNESCO. The restrictions imposed by education legislation do not offer scope for Limburgish in education. Some organisations believe that a statutory obligation and central government funding to promote the use of Limburgish as a regional language in education are needed to create this scope. In the opinion of Limburg provincial authority these are important but also drastic recommendations.

Limburg provincial authority believes that the first step should be an administrative agreement with central government, similar to that recently concluded on Low Saxon, recognising Limburgish as an ‘independent and integral part of the Dutch language system’. Recognition would generate positive attention for Limburgish and consolidate collaboration with the Ministry of the Interior and Kingdom Relations, which in turn could boost collaboration with the education sector. This would also help the province in its efforts<sup>16</sup> to get more Limburgers to speak Limburgish. On Friday 15 March 2019 the Minister of the Interior gave a positive response to the provincial authority’s request, and stated that she is willing to recognise Limburgish as an independent and integral part of the language system in the Netherlands.<sup>17</sup> An administrative agreement on this subject is expected to be signed in autumn 2019. It will affirm that the provincial authority and central government will endeavour to preserve and promote the use of the Limburgish language and set out the arrangements required to this end.

#### *Limburgish ‘taaltafel’*

Limburg provincial authority, responding to a request from the Ministry of the Interior, organised a Limburgish *taaltafel* at the ECI Cultuurfabriek cultural centre in Roermond on 15 March 2019. A diverse group of individuals and organisations involved with Limburgish attended the *taaltafel*,<sup>18</sup> which focused on the organisations’ ongoing projects and activities, the future of Limburgish and the benefits of national recognition of/an administrative agreement on Limburgish.

Asked what the Limburgish language means to them, many delegates said it was connected with their own identity. Limburgish is the language in which they find it easiest to express their feelings. To them, the language is about connection with each other and pride in Limburg. It enjoys widespread support and is spoken by people from all layers of society. Limburgish is a natural and indisputable part of all areas of life.

Following the interview on national recognition of Limburgish as a regional language, the benefits of an administrative agreement on Limburgish were discussed at the *taaltafel*. There was a positive response to this idea. According to the participants the main benefits of such recognition were the affirmation of Limburgish as an integral language, the boost to regional pride and identity and the preservation of the language and linguistic diversity. An agreement should focus on Limburgish as an element of cultural diversity and should ensure that the language remains a natural and indisputable

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<sup>16</sup> <https://www.1limburg.nl/limburgs-moet-erkend-worden-als-regionale-taal>.

<sup>17</sup> [https://www.limburger.nl/cnt/dmf20190315\\_00096773/limburgs-wordt-volwaardige-streektaal](https://www.limburger.nl/cnt/dmf20190315_00096773/limburgs-wordt-volwaardige-streektaal).

<sup>18</sup> Kinjer Vastelaovend Leedjesfestival (KVL), omroep L1, Raod veur ’t Limburgs, Association of Carnival Societies in Limburg (BCL), HOERA childcare centres, a regional language consultant, Association of Teachers of Living Languages – Limburgish section, Veldeke Limburg, Veldeke kring Venlo, culture coach Venlo-Beesel, an actor and a singer.

part of all areas of life. An administrative agreement on Limburgish should be a means to an end, not an end in itself. Recognition might encourage various parties, such as the childcare sector, to do more with the language and would likely have a positive impact on the development of language policy.

Limburgish is closely connected with all parts of the community in the province. This is reflected in the many ongoing projects and activities involving the Limburgish language and culture. Regional language organisations like Veldeke Limburg provide a range of activities. Regional and local broadcasters have programming in Limburgish. There is literature, music and theatre in Limburgish, including 'Troubadours van de Toekomst' ('Troubadours of the Future') and Festival Sjik. The language also plays an important role in gastronomy. Limburgish is an intrinsic element of Vastelaovend, which includes a song festival for children and adults. Dictionaries and a publication that features the most fun Limburgish words ensure people have a good basis in and focus on the language. There are courses teaching dialect spelling, there is a spelling website and a SwiftKey keyboard was recently launched, making it easier to write Limburgish on mobile devices. Wikipedia and Facebook are also available in Limburgish. There is also attention for Limburgish in physical public spaces, as reflected for example in bilingual place name signs. Young people are involved in the language in various ways, good examples being a special holiday activity book ('Piepekoek'), Limburgish children's songs, a teen soap entitled 'Plat' and a recitation competition in primary schools.

As regards the future, the delegates said they would like to see Limburgish used in all areas of life. They regard standardisation of the language as less important; the initial focus should be on ensuring it is used. Standardisation is indeed even regarded as a problem, threatening the rich linguistic diversity of Limburgish. The language also offers a stable basis in a globalising world, consolidating people's connection with their unique regional identity. In this respect, it was emphasised that Limburgish also promotes inclusion. The potential role of Limburgish in receptive multilingualism was also mentioned, in the sense that it would help ensure the language became a natural and indisputable part of life. Finally, the delegates distinguished between the language as a means and as an end. In education it is seen as an end, while in administration it should be a means.

#### 2.2.4 Non-territorial languages: Yiddish and Sinti-Romanes

Central government has deliberately transferred a number of tasks concerning Sinti and Roma to subnational authorities, in line with the regional languages recognised under the Charter. The Roma and Sinti communities are very small and scattered throughout the country. The Ministry of Social Affairs and Employment meets with Roma and Sinti representatives at their request to discuss issues important to these communities. In this flexible dialogue, the authorities consult professional experts, opinion leaders, members of the language community and/or representatives of groups, and various issues may be discussed.

A special programme ('Tackling Early School Leaving') is used to prevent early school leaving. The Participation Act offers municipalities a range of instruments and services to guide people into work. Together with the decompartmentalisation of resources and other decentralisation measures, this creates more scope for an integrated approach, which is often important for this group.

Good results have been achieved and instruments developed through the Programme to Tackle Exploitation of Roma Children. The key element of the programme is a balance between enforcement and offering future prospects. The Self-Determination Action Plan (2015-2017) sets out the various activities launched by central government, including efforts to enhance the expertise of professionals in healthcare and education on the issue of forced marriage and human trafficking.

To further promote dialogue at subnational level, in 2015 the Ministry of Social Affairs and Employment organised three dialogue sessions with five local administrators and a select group of Roma and Sinti. In the Dutch-chaired EU temporary working group on the protection of the rights of Roma children, the focus was on exchanging promising practices for enhancing school attendance, particularly among Roma girls. The CAHROM committee of experts (Council of Europe) also explicitly

called attention to the harmful effects of forced marriage and human trafficking and the responsibilities of the Roma themselves in these matters.

In 2015 and in 2018 the Ministry of Social Affairs and Employment conducted a second and third Social Inclusion Monitor on Roma integration. It found that stricter enforcement of compulsory school attendance had slightly reduced absenteeism among Roma pupils. The communities themselves increasingly acknowledge the importance of education, and further education after completing compulsory schooling is increasingly considered a matter of course. However, early school leaving among Roma girls from high-school age onwards remains high, for subjective cultural reasons.

The Ministry of Education, Culture and Science gives schools extra support for teaching specific groups, including the children of caravan dwellers and Roma and Sinti children. Schools may apply for additional funding if they have four or more children from these groups on their register. The Ministry also subsidises OWRS, a national platform that connects people in order to improve education for children of caravan dwellers and Roma and Sinti children. It provides support for schools, educational consultants and municipal authorities (school attendance officers).

Since 2015 the Ministry of Health, Welfare and Sport has been making grants available for projects and activities by Roma and Sinti that promote better participation and equal rights for Sinti and Roma in the Netherlands. Through the grant scheme, the remaining legal restitution funds are made available to these communities. The Ministry has no involvement in the substance of the project. It is up to Sinti and Roma themselves to decide what they submit an application for. In the context of the theme of respect for culture and identity, grants have been awarded under this scheme to projects designed to teach Romanes to the younger generation, thus safeguarding the language of the Roma and Sinti and along with it a part of their identity.

In response to a report by the National Ombudsman entitled *Woonwagenbewoner zoekt standplaats* ('Caravan dweller seeks pitch') of 17 May 2017 and several opinions issued by the Netherlands Institute for Human Rights, the Minister of the Interior and Kingdom Relations undertook to develop a policy for municipalities on housing for this group in line with the human rights framework developed by the European Court of Human Rights. The policy document will be drawn up in consultation with the association of Roma, Sinti and caravan dwellers, several municipal authorities and the Association of Netherlands Municipalities, the Association of Provincial Authorities, Aedes (the umbrella organisation for housing associations), the Netherlands Institute for Human Rights and the National Ombudsman. At a hearing on 30 November 2017 Roma, Sinti and caravan dwellers were able to report the problems they are experiencing in connection with housing and other forms of unequal treatment. This hearing, consultations with the associations of Roma, Sinti and caravan dwellers and easy access to officials in order to highlight the problems they face have already helped restore some confidence between Roma, Sinti and caravan dwellers and central government. Their input will be incorporated into the policy document. A policy framework on housing for Roma, Sinti and caravan dwellers that is in line with the human rights principles was adopted in the first half of 2018. The Minister of the Interior and Kingdom Relations will inform members of the municipal executives and councils and municipal officials on the basis of this policy framework in order to actively promote the equal treatment of Roma, Sinti and caravan dwellers in matters of housing.

There are no obstacles to speaking Yiddish. Schools are free to offer it as an optional subject. Pupils at the Cheider Jewish school in Amsterdam can take Yiddish as an exam subject. Central government contributes to the promotion of Yiddish by granting exceptional status to two Jewish secondary schools in Amsterdam, including Cheider.

## 2.3 Other languages

### 2.3.1 Papiamentu

In the fifth evaluation report the committee of experts advised the Dutch government to clarify the situation with regard to the recognition of Papiamentu. This language is traditionally spoken in

Curaçao, Aruba and Bonaire. The Netherlands Antilles was dissolved in 2010. Since then the islands of Curaçao and Aruba have been independent countries within the Kingdom of the Netherlands. Bonaire, Saba and St Eustatius (the 'BES islands') are part of the Netherlands, each with its own local government, analogous to that of a municipality. In response to the islands' new constitutional status, decisions had to be taken for each of the individual treaties as to whether they would apply to Bonaire, Saba and St Eustatius. The European Charter has been declared inapplicable to the BES islands.

Regulations for the BES islands concerning language have been incorporated into Dutch legislation, including rules on the use of Papiamentu in education, the judicial system and courts, administration and socioeconomic life.<sup>19</sup>

### 2.3.2 Bildts

In the fifth evaluation report the committee encouraged the Dutch government to clarify the situation regarding Bildts in the sixth report. Speakers of Bildts sent central government a letter in February 2016 requesting it to recognise Bildts under the Charter, in response to the planned municipal boundary changes due to take effect on 1 January 2018. Before taking its decision, central government sought the advice of the Nederlandse Taalunie (Dutch Language Union), a knowledge and policy organisation for the Dutch language established by the Dutch and Belgian governments in 1980 to establish a common policy on the Dutch language and literature in the Netherlands and Flanders. Bildts has clear similarities to both Frisian and Dutch. The Taalunie indicated in its report that, although Bildts is linguistically unique in terms of its situation, it cannot be seen as a language independent of Dutch. On the basis of this recommendation, central government rejected the request to recognise Bildts under the European Charter. The government does however acknowledge the concerns of Bildts speakers concerning the boundary changes and therefore offers practical support for Bildts. It has made €10,000 available for activities to promote and preserve Bildts.

### 2.3.3 Dutch Sign Language

On 20 October 2018 the Ministry of the Interior and Kingdom Relations received a letter from Dovenschap, the interest group for deaf people, in which the organisation requested central government to recognise Dutch Sign Language (NGT) in line with the European Charter for Regional and Minority Languages. In 2001 the Charter's committee of experts concluded, on the basis of the report 'The Status of Sign Languages' that the Charter is not intended for sign languages. The committee does however encourage the use of other instruments that guarantee the protection of sign language. Central government is in talks with Dovenschap in order to identify what is desired and possible in terms of the recognition of Dutch Sign Language.

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<sup>19</sup> For a complete list of language regulations pertaining to the BES islands in Dutch law, see: <https://www.rijksoverheid.nl/onderwerpen/erkende-talen/documenten/brochures/2012/04/16/taalregelingen-voor-de-bes-eilanden-in-de-nederlandse-wet-en-regelgeving>.

### 3. RECOMMENDATIONS OF THE COMMITTEE OF MINISTERS

This section contains a response to the recommendations of the committee of ministers concerning compliance with the European Charter. It explains the position of the Dutch government and relevant new developments.

*Recommendation 1: The Dutch government must pursue a structured policy for the implementation of the Charter in consultation with speakers of the languages concerned. This applies also to languages covered only by Part II of the Charter.*

While the Dutch government bears ultimate responsibility for the implementation of the European Charter, primary responsibility for regional and minority languages lies with the subnational authorities directly concerned. This applies both to Frisian and to the languages recognised under Part II. The specific needs policy must meet differ from one language and region to another. Local authorities are better placed to respond to and cater for these needs. Subnational authorities (provinces and municipalities) are closer to the day-to-day reality and the grassroots speakers of regional and minority languages than central government.

Central government nevertheless remains in close consultation with the subnational authorities concerned. The Ministry of the Interior and Kingdom Relations acts as the coordinating ministry, making additional agreements where necessary. It acted as coordinator for the administrative agreement on Low Saxon and the new BFTK, for example, and will perform the same role for the administrative agreement on Limburgish.

In compliance with the recommendation in the fifth evaluation report, the Ministry of the Interior also organised a first regional language symposium in autumn 2017. The symposium focused on all recognised regional minority languages. The purpose of the event was to learn from and get to know each other. This has helped strengthen local policy and exchange of knowledge between different language groups. The symposium allowed central and provincial government staff to meet speakers of the languages in question. The Ministry of the Interior and Kingdom Relations plans to hold a second regional language symposium in 2019.

*Recommendation 2: The Dutch government should take measures to prevent the planned changes in and concerning the media from having a negative impact on programming in regional languages.*

By ‘the planned changes in and concerning the media’ the committee is apparently referring to the bill to amend the Media Act 2008 (modernisation of regional public broadcasting). This bill would indeed have had implications for Omrop Fryslân. It was never submitted to the House of Representatives, however. Nevertheless, in view of the Use of Frisian Act, the European Charter for Regional or Minority Languages, the Framework Convention for the Protection of National Minorities and the report of the ad hoc committee on the preservation of the Frisian language in the media (2013), chaired by R.J. Hoekstra, Fryslân provincial authority and central government believe it is important to provide extra safeguards for the position of the Frisian language in the media. Such safeguards have been provided in the form of the Administrative Agreement on the Use of Frisian in the Media 2016 (Government Gazette 2016, no. 68855). This agreement was effective concurrently with the BFTK 2013-2018 and therefore applied until 31 December 2018. Any relevant arrangements from that agreement have as far as possible been incorporated into the new BFTK that came into effect on 1 January 2019.

The Media Act 2008 determines that the authorities (central government, provincial and municipal) may not interfere in the form and content of the media programming of media organisations. Pursuant to the Media Act 2008 the media organisations themselves decide the form and content of their media programming. This means, among other things, that the authorities cannot make programming in a minority language like Frisian mandatory, but media organisations are free to do so. In its role as *Taalskipper* Fryslân provincial authority may engage in consultations with media

organisations on the use of Frisian, should it so wish. Arrangements for this purpose have been included in the BFTK 2019-2023.

*Recommendation 3: The Dutch government should strengthen Frisian education and teaching at all levels, with a view to promoting literacy in the language.*

One of the main goals of the BFTK 2019-2023 is to tackle illiteracy in Frisian among native speakers of the language. To that end the agreement aims to increase the number of people who can read and write Frisian by 2030. Specifically, the objective is to raise the number of literate native speakers of Frisian and the number of fluent non-native speakers by 10% each.

The aim of the BFTK 2019-2023 is that in the longer term the right conditions should be in place for the Frisian language to be offered at all levels of education, from preschool to PhD. By 2030 Fryslân will be a multilingual province with schools that include Frisian as a subject in their curricula as a matter of course. Frisian will also be a natural language of communication and instruction in schools.

*Recommendation 4: The Dutch authorities should give the teaching of Low Saxon and Limburgish the status of regular educational subjects. It is important that Low Saxon and Limburgish be offered as subjects at other levels of education, including preschool.*

Dutch education legislation allows schools to fill the hours over and above the core curriculum as they see fit. Under section 9 of the Primary Education Act schools are free to teach a regional language. The same applies to secondary education. Limburgish and Low Saxon can already be taught in primary schools, depending on the interests and needs of individual schools. Compulsory teaching of regional languages as school subjects would not be in line with Dutch educational policy.

*Recommendation 5: The Dutch authorities should take measures to promote and protect Yiddish and Romanes, in consultation with the speakers of these languages.*

Subnational authorities are responsible for protecting and promoting regional and minority languages. Thanks to their direct links with residents, they have a better view of the situation and the needs and wishes of speakers of the regional language in question. Language situations differ strongly from one region to another. Since provincial and municipal authorities are closer to the day-to-day situation than central government, they are better placed to respond to these differences.

The Ministry of Social Affairs and Employment meets with Roma and Sinti representatives at their request to discuss issues important to these communities. In this flexible dialogue, the authorities consult professional experts, opinion leaders, members of the language community and/or representatives of groups, and various issues may be discussed. Since 2015 the Ministry of Health, Welfare and Sport has been making grants available for projects and activities by Roma and Sinti that promote better participation and equal rights for Sinti and Roma in the Netherlands. Through the grant scheme the remaining legal restitution funds are made available to these communities. The Ministry has no involvement in the substance of projects. It is up to Sinti and Roma themselves to decide what they submit an application for. In the context of the theme of respect for culture and identity, grants have been awarded under this scheme to projects designed to teach Romanes to the younger generation, thus safeguarding the language of the Roma and Sinti and along with it a part of their identity.

There are no obstacles to speaking Yiddish. Schools are free to offer it as an optional subject. Pupils at the Cheider Jewish school in Amsterdam can take Yiddish as an exam subject. Central government contributes to the promotion of Yiddish by granting exceptional status to two Jewish secondary schools in Amsterdam, including Cheider.

In view of the consultations with Roma and Sinti and the exceptional status and funding of Cheider, as well as the existing scope to offer Yiddish as a subject, the Dutch government is of the opinion that the Netherlands is fulfilling its obligations under the Charter.

## 4. FINDINGS OF THE COMMITTEE OF EXPERTS

This section concerns the findings of the Committee of Experts from the fifth monitoring cycle. First, the findings with regard to Part II of the Charter are considered, followed by the findings regarding Part III. In the interests of readability, the findings of the Committee of Experts from the fifth cycle are mentioned first in each case, followed by our response to those findings.

### 4.1 Findings with regard to Part II of the Charter

Article 7 – Objectives and principles

All languages

- 1. Provincial or local authorities and regional or minority language speakers (institutes, organisations, volunteers, etc.) play the central role in the protection and promotion of these languages in the Netherlands. In the fifth monitoring cycle, the national authorities reiterated that they do not implement a language policy for the languages protected only by Part II; such tasks are delegated to provincial or local authorities and the speakers. The Committee of Experts underlines that a national policy is needed for all languages, in particular since some domains, such as education, fall into the competence of the national authorities.**

As we have said, language policy on regional languages is primarily the responsibility of subnational authorities.

The right to use a language recognised under Part II is not laid down separately, but is provided for under existing legislation. Education legislation, for example, gives schools the freedom to provide teaching in or about the local language in the teaching time remaining over and above the core curriculum. The decision as to whether to make use of this freedom is left to individual schools. As stated in the second part of this report, an administrative agreement on Low Saxon was agreed between the Ministry of the Interior and the Low Saxon authorities in 2018. Talks are now underway with Limburg provincial authority on a similar administrative agreement. Primary and secondary schools in Fryslân are obliged to offer Frisian as a subject. In addition, the use of Frisian in the judicial system and by administrative authorities is covered by the Use of Frisian Act, which entered into force on 1 January 2014.

Following the recommendation of the Committee of Experts to enter into dialogue with speakers of and stakeholders in regional and minority languages the Ministry of the Interior organised *Spreek maar!*, a symposium on regional languages, in Deventer on 7 November 2017. The purpose of the symposium was to bring together policymakers, speakers, language institutes and experts on/of the recognised regional languages (Frisian, Low Saxon and Limburgish) so that they could share knowledge and experiences on the main theme: effective promotion of regional languages. The programme was put together in close consultation with the provincial authorities concerned (Fryslân and Limburg, and Overijssel on behalf of Low Saxon). Subjects covered included education, the preschool period, the writing of regional languages and healthcare. A second symposium is planned for 2019.

All languages

- 2. The Committee of Experts urges the Dutch authorities to ensure that legal and financial changes in the media sector do not negatively affect regional or minority language broadcasting and to take positive measures to support such broadcasting.**

The cutbacks in the media sector must be shouldered by all regional broadcasters. There are currently no signs that media programming in regional and minority languages is coming under pressure as a result of the cutbacks. The authorities may not interfere in the form and content of the media programming of media organisations. Under the Media Act 2008 the media organisations themselves determine the form and content of their media programming. This means, among other

things, that the authorities may not oblige media organisations to use a regional or minority language.

#### Low Saxon

**3. The Committee of Experts encourages the Dutch authorities to adopt a structured approach and promote the use of Low Saxon in public life, especially in the media, economic field and in social life (e.g. health and elderly care).**

As mentioned above, the administrative agreement on Low Saxon was signed by the Minister of the Interior and the members of provincial executives and mayors of the authorities associated with Low Saxon on 10 October 2018.

The agreement guarantees dialogue and collaboration between the authorities concerned. It also includes a programme of activities. The first consultations at official and political level related to the administrative agreement have since taken place. The ambition is to set out a long-term strategy for Low Saxon, for example in education. In the short term the goal is to join forces to publicise the many existing initiatives involving Low Saxon, and thus raise the general profile of the language throughout the language area.

The IJsselacademie and the organisation Grunneger Sproak are also working to promote Low Saxon in healthcare.

#### Limburgish

**4. The Committee of Experts urges the Dutch authorities to adopt a structured approach and encourage the use of Limburgish in public life, especially in the media, economic field and in social life (e.g. health and elderly care).**

Limburg provincial authority has included regional language and the importance of Limburgish in its framework policy document 'Toekomst voor erfgoed! 2016 – 2019' ('Future for Heritage!', see appendix), thus consolidating the position of Limburgish in policy. A clear plan of action was recently sent to the provincial council. Implementation of the regional language policy has been delegated to Huis voor de Kunsten Limburg (Limburg arts council), in particular its regional language consultant, Raod veur 't Limburgs (Limburgish language council') and Veldeke Limburg (dialect association). These parties receive financial support from the provincial authority.

Over the past few years Limburg provincial authority has sponsored several projects and initiatives, as well as annual events, including:

- Festival Sjiem (a one-day language festival)
- Medammecour (a musical theatre production touring Limburg) in Limburgish
- LVK / TVK / KVL: Limburgs Vastelaovesleedjes Konkoer / Tiener Vastelaovend Konkoer / Kinjer Vastelaovend Leedjesfestival annual music competition for the best carnival song, for adults / teenagers / children. Media coverage (TV / Radio) entirely in Limburgish
- Grants for various poetry, prose and music anthologies in Limburgish
- Regional broadcaster L1 regularly broadcasts in Limburgish.

From 2019:

- A pilot project is being launched in seven municipalities with childcare organisation Stichting Spelenderwijs/De kinderopvang in 2019, based on the Frisian example and on research performed by the Chair of Limburgish.

#### Sinti-Romanes

**5. The Committee of Experts underlines that the Charter requires the authorities to take positive measures to promote and protect Romanes. It also notes that the Charter must be implemented bearing in mind the wishes of the speakers. It therefore urges the authorities to**

**consult the Romanes speakers and to identify, in co-operation with them, ways and areas in which the use of Romanes could be facilitated and/or encouraged, taking into consideration the different views within the community.**

Since 2015 the Ministry of Health, Welfare and Sport has been making grants available for projects and activities by Roma and Sinti that promote better participation and equal rights for Sinti and Roma in the Netherlands. Through the grant scheme the remaining legal restitution funds are made available to these communities.<sup>20</sup>

An advisory committee comprised of members of the Roma and Sinti communities advises the Ministry on the assessment of grant applications. Projects involving the following subjects are eligible for a grant: respect for culture and identity, combating discrimination and prejudice, strengthening advocacy and representation, promoting education, advice and guidance by intermediaries, Second World War remembrance and job creation. These subjects were identified together with Sinti and Roma when the grant scheme was established, in order to ensure discussions are held with and not simply about them. An evaluation of the scheme in 2018 found that Sinti and Roma have used the scheme well over the past few years and are still satisfied with the subjects eligible for grants.

The Ministry has no involvement in the substance of projects. It is up to Sinti and Roma themselves to decide what they submit an application for. In the context of respect for culture and identity, grants have been awarded under this scheme to projects designed to teach Romanes to the younger generation, thus safeguarding the language of the Roma and Sinti and along with it a part of their identity.

#### Yiddish

**6. In the fourth evaluation report, the Committee of Experts urged the Dutch authorities to consult with the speakers in order to establish how the use of Yiddish could be facilitated and/or encouraged, in speech and writing, in public and private life, and whether structured financial support could be provided to the cultural journal “Grine Medine”. The fifth periodical report does not provide any information in this respect. The Dutch authorities informed the Committee of Experts that, as a Part II language, they do not promote Yiddish. No financial support is granted to the cultural journal “Grine Medine”. Furthermore, the authorities seem to consider that languages like Yiddish have their place in private life only. The Committee of Experts considers these views as incompatible with the Charter and regrets that the Dutch authorities maintain this position in the fifth monitoring cycle. The Committee of Experts refers to its previous comments under Articles 7.1.c and 7.1.d and underlines that the Charter requires that the authorities promote the regional or minority languages in public life. Since Yiddish is a non-territorial language, the role of the national authorities is all the more important. The Committee of Experts strongly urges the Dutch authorities to consult with the speakers and facilitate the use of Yiddish, in speech and writing, in public and private life.**

#### Sinti-Romanes

**7. The Committee of Experts urges the Dutch authorities to facilitate links between all the organisations representing the Roma and Sinti, with particular emphasis on the protection and promotion of Romanes.**

Responsibility for protecting and promoting regional and minority languages resides with subnational authorities. Thanks to their direct connection with residents, subnational authorities are more aware of the situation and the wishes and needs of speakers of the regional language in question. Language situations differ strongly from one region to another. Since provincial and

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<sup>20</sup> Policy framework for grants in support of projects and activities promoting participation and equal rights of Sinti and Roma in the Netherlands.

municipal authorities are closer to the day-to-day situation than central government, they are better placed to respond to these differences.

The Ministry of Social Affairs and Employment meets with Roma and Sinti representatives at their request to discuss issues important to these communities. In this flexible dialogue, the authorities consult professional experts, opinion leaders, members of the language community and/or representatives of groups, and various issues may be discussed.

Schools that teach Yiddish receive extra funding (relative to ordinary schools) from the Ministry of Education, Culture and Science.

#### Limburgish

**8. The Committee of Experts urges the Dutch authorities to extend the offer of teaching Limburgish in primary and secondary education, in particular regarding the varieties Northern Limburgish, in the municipalities of Horst and Venray, and Ripuarian, in the municipalities of Simpelveld and Vaals. The Committee of Experts urges the Dutch authorities to upgrade the teaching of Limburgish to the status of a regular school subject and intensify it, including in pre-school education.**

#### Low Saxon

**9. The Committee of Experts notes that, despite positive initiatives at local and provincial level, a more structured approach with respect to Low Saxon in education is needed. The Committee of Experts encourages the Dutch authorities to upgrade the teaching of Low Saxon to the status of a regular school subject and intensify it, in particular in pre-school education and secondary education.**

Education legislation gives primary and secondary schools the freedom to provide teaching in the regional language in the hours over and above the core curriculum. Whether or not they do so is a matter for schools themselves to decide.

In recent years, through the efforts of the regional language consultant a lot of material for teaching in Limburgish has been developed, for both primary and secondary schools, for the variations Tegels, Venloos, Roermonds, Kerkrads, Echts, Heerlens, Sittards, Brunssums, Weerts, Geleens, Maastrichts and Horsters. It is important for the provincial authority that supply and demand are well matched. Limburg provincial authority facilitates many good projects and initiatives, in response to demand. Many local branches of dialect association Veldeke and local stakeholders develop teaching material. A dictionary was recently published in Vaals and there has been collaboration in the field of education. Limburg provincial authority is also keen to promote digitisation and will facilitate a project by the Limburg Academy known as Corpus Dictionair. From 2019 a number of preschool play groups will run a pilot project, based on the Frisian example, focused on enhancing toddlers' language skills and encouraging the use of Limburgish.

Low Saxon is spoken in the Stellingwerf municipalities of Fryslân province. Local history is also taught as a subject in these municipalities, with a focus on the regional culture and language. From 2019 the entire teaching method will use Stellingwarfs. The Huus van de Taol is to publish the teaching method Wiesneus in five of the Low Saxon dialects (Drèents, Gronings, Achterhooks, Tweants, Wes-Overijssels). This organisation is also working with NHL Stenden university of applied science on a project entitled 'Drèents and German in education', which is focused on strengthening the role of German and the regional language in primary schools.

The language areas themselves recently launched an initiative for both Limburgish and Low Saxon to establish their own branches in Levende Talen, the Dutch association of language teachers. Levende Talen promotes and develops language teaching in the Netherlands. It organises seminars and conferences on language teaching and keeps its members informed of the latest news and developments in two publications, *Levende Talen Magazine* and *Levende Talen Tijdschrift*, as well as

on social media, the website [www.levendetalen.nl](http://www.levendetalen.nl) and through the websites, social media accounts and newsletters of its branches representing different languages.<sup>21</sup>

#### Sinti-Romanes

- 10. The Committee of Experts is aware that there are different views about the use of Romanes among the speakers. The Committee of Experts encourages the Dutch authorities to explore, in co-operation with the speakers, ways of teaching Romanes to those interested, taking into consideration the views of the community.**

#### Yiddish

- 11. The Committee of Experts encourages the Dutch authorities to ensure the continued teaching of Yiddish, in co-operation with the speakers and to provide it with the necessary financial support.**

Schools are free to fill the hours over and above the core curriculum hours as they see fit. It is not practical to teach in Romanes at schools in regions where no Roma or Sinti live, or where the language is not spoken, as there is probably no need of it in these regions. For this reason, providing teaching in Romanes is a local matter that must be taken up by the local authority where there is demand for teaching in/on Romanes.

The curriculum of the schools affiliated to the Cheider institute in Amsterdam still provide some teaching in/on Yiddish. The Dutch government gives Cheider the opportunity to offer students Yiddish in the hours over and above the core curriculum hours. The hours spent on Yiddish count as teaching hours and Cheider is also free to offer Yiddish as a final examination subject, with the grade for Yiddish appearing on the list of grades accompanying the certificate. There are therefore no obstacles to teaching Yiddish and promoting the language.

The two Jewish secondary schools in Amsterdam – Cheider and Maimonides – have been officially recognised as ‘exceptional schools’, as their teaching serves the interests of the Dutch cultural heritage. This means that they do not have to meet the minimum pupil number norm to prevent closure and that they receive additional special funding. Cheider, which teaches 37 pupils, annually receives extra funding for 4.2 FTE extra teaching staff. Converted into staff funding per pupil, this comes to €26,500 per pupil at Cheider. Average staff funding per pupil in secondary education is €6,500. Cheider also runs a primary school and receives 60% extra funding per primary pupil. Given the exceptional status and funding of Cheider and the scope that exists to teach Yiddish, to count these lessons as teaching hours and to offer it as a final examination subject, central government is of the opinion that the Netherlands is complying with the obligations of the Charter and that Cheider has the freedom and the financial resources needed to provide teaching in Yiddish, if it so desires.

#### Low Saxon

- 12. The Chair of Low Saxon at the University of Groningen increased its co-operation with Huis van de Groninger Cultuur and the Department for Frisian Language and Culture. In this framework, the setting up of a Low Saxon specialisation, similar to the Frisian one, within the new BA Minorities and Multilingualism, is under consideration. With the retirement of the incumbent professor, there are, however, concerns about the continuation of the Chair. The Committee of Experts encourages the Dutch authorities to ensure a stable financial framework for the promotion of study and research on regional or minority languages at universities or equivalent institutions.**

Martijn Wieling was appointed endowed professor of Low Saxon Language and Culture at the University of Groningen in July 2018. His post, initially for four years, is now based at the Centrum

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<sup>21</sup> [www.levendetalen.nl](http://www.levendetalen.nl).

Groninger Taal en Cultuur (Centre for Gronings Language and Culture, CGTC), which develops projects to which Wieling actively contributes. The *Woordwaark* project, under the leadership of Professor Goffe Jensma, collects examples of Gronings in its oral and written forms for an online database. The *Stemmen van Groningen* ('Voices of Groningen') project led by Dr Nanna Hilton is collecting variant pronunciations of Gronings.

The university is free to further develop the Chair of Low Saxon Language and Culture. The Chair receives block grant funding from the Ministry of Education, Culture and Science.

#### Yiddish and Sinti-Romanes

### **13. The Committee of Experts encourage the Dutch authorities to promote appropriate types of transnational exchanges, in the fields covered by the Charter, for Romanes and Yiddish.**

The European Commission strengthens member states' activities to respect and promote cultural and linguistic diversity, in accordance with the UNESCO Convention for the Protection and Promotion of the Diversity of Cultural Expressions. Encouraging multilateral cultural projects on multilingualism is a focus of policy.

In response to the recommendation, the Dutch authorities contacted the Anne Frank Foundation, Grine Medine and the National Committee for 4 and 5 May. These organisations have major international ambitions, but their projects do not directly target regional languages, with the exception of Grine Medine for Yiddish. This organisation would like to set up international projects and join forces with organisations in other countries, in addition to publishing a quarterly journal.

#### All languages

### **14. The Committee of Experts noted that there is little knowledge in the Netherlands about regional or minority languages and their contribution to the cultural wealth of the country. The Committee of Experts was informed by the representatives of the Roma and Sinti of prejudiced and stereotyped views concerning them in the Dutch society. The results of the 2015 Monitor of Social Inclusion of Roma in the Netherlands also show that there are stereotypes about Roma and that they are negatively portrayed by the media. The Committee of Experts encourages the Dutch authorities to ensure that respect, understanding and tolerance in relation to regional or minority languages are specifically included in the new curriculum and to promote awareness and tolerance in Dutch society at large vis-à-vis the regional or minority languages and the cultures they represent, including through the media.**

The government considers it vital that people can be themselves and live as they see fit. It therefore believes that discrimination should be dealt with firmly, not only through penalties imposed after the fact, but above all by promoting tolerance and emphasising shared values. The government therefore commissioned a study of, among other things, the triggers for discrimination against Muslims. In response to the study findings, the government organised a broad-based meeting on the themes of connection and perceptions. The government also facilitates intercultural encounters organised by various groups, such as the 27 meetings in 2017 involving Turkish and Jewish organisations to reduce prejudice and stereotyping. The website [www.samen.nl](http://www.samen.nl) provides an online platform for inspiring examples of intercultural encounters and projects throughout the country.

In 2006 it was stipulated that primary and secondary schools should devote attention to active citizenship and social integration. This obligation is designed, among other things, to familiarise students with the idea of a pluralistic society and teach them about the different backgrounds and cultures of their peers. The Ministry of Education, Culture and Science has however concluded on the basis of several studies that, although schools are complying with the statutory obligation concerning citizenship education, the teaching students receive does not meet society's expectations. The Ministry is therefore adapting the statutory obligation on citizenship education, defining a common core that teaching on this subject should focus on: the development of respect for and knowledge of the basic values of a democratic society based on the rule of law and of human rights, and teaching

the social competencies that will enable students to become part of and contribute to society. Parallel with this amendment to the legislation, a comprehensive review of the primary and secondary education curriculum is taking place. A separate development team is developing building blocks for citizenship education that define the specific knowledge and skills students must acquire. These outcomes will provide a basis for the review of the current attainment targets. The statutory obligation to provide citizenship education and the attainment targets for this subject do not however include specific provisions on Fryslân or on Roma and Sinti. This does not however mean that no attention is given to minorities or speakers of minority languages in the Netherlands. By prescribing only general attainment targets and not a state curriculum, schools have more scope to make choices about what and how they teach their pupils. Schools are free to substantiate the attainment targets as they wish, and may focus attention on these communities as they see fit.

#### All languages

**15. During the on-the spot visit, the Committee of Experts noted the overall good co-operation and dialogue between the provincial authorities and the regional or minority languages speakers' organisations. However, at national level a structured dialogue is missing. No structured dialogue with representatives of the regional or minority language speakers about the implementation of the Charter and the recommendations evolving from its monitoring mechanism appears to be in place. The Committee of Experts urges the Dutch authorities to initiate a structured dialogue with the representatives of the regional or minority language speakers about the implementation of the Charter and the recommendations evolving from its monitoring mechanism. The Committee of Experts urges the Dutch authorities to ensure that a structured dialogue is developed with the representatives of the Romanes speakers.**

As a direct response to the above recommendation the Ministry of the Interior and Kingdom Relations organised the first Regional Language Symposium in autumn 2017. At the symposium the Ministry, local authorities, academics and interest groups engaged in discussions about the preservation and promotion of recognised regional languages in the Netherlands. A range of subjects were discussed, including education, preschool provision, healthcare etc.

Generally, subnational authorities maintain contact with interest groups and organisations for regional-language speakers on day-to-day matters, as they have a better view of the language situation in the region and are therefore a natural first point of contact. The Ministry of the Interior, which acts as the coordinating ministry for central government, holds regular talks with these subnational authorities. As described above, three *taaltafels* ('language roundtables') on the regional languages were initiated by the Ministry of the Interior in preparation for this report. At these meetings, discussions were held with speakers of the regional languages as well as relevant representatives and organisations. The discussions focused on use of the language, the future of the language and ongoing projects. The outcomes of these discussions are set out in appendix 2.

Central government and Fryslân provincial authority's shared responsibility for the Frisian language and culture is laid down in the Use of Frisian Act (*Wet gebruik Friese taal*; WGFT). Their respective tasks are set out in successive administrative agreements (BFTK), which are drafted and implemented jointly by the provincial authority and central government. The Ministry of the Interior and the provincial authority hold regular consultations on the BFTK and other subjects concerning the Frisian language and culture. Both Fryslân provincial authority and central government have periodic contact with DINGtiid, the official body for the Frisian language. Regular talks with DINGtiid take place concerning the organisation's programme of work and the advisory reports it issues. It was also agreed in the BFTK 2019-2023 that all central government employees concerned with the Frisian language should pay an annual working visit to expand their knowledge and contacts in areas concerning Frisian and Fryslân.

Central government and the Low Saxon authorities began discussions on an administrative agreement on Low Saxon in 2015. The agreement was signed in October 2018. As a partner to the agreement, the Ministry of the Interior will take part in consultations on its implementation.

Talks with Limburg provincial authority on Limburgish were initiated at the Regional Language Symposium 2017. The provincial authority recently expressed its desire for an administrative agreement on Limburgish. The Ministry of the Interior has stated that it is willing to recognise Limburgish as an independent and integral part of the language system in the Netherlands, by means of an administrative agreement that is expected to be signed in autumn 2019.

The Ministry of the Interior has also spoken to various interest groups over the past few years. It held frequent talks with SONT, the umbrella organisation of Low Saxon language institutes, concerning the administrative agreement on Low Saxon. The Ministry will continue its consultations with SONT on Low Saxon. In late 2017 the Ministry spoke to the Ried fan de Fryske Beweging about its concerns over Frisian in education. In 2018 and early 2019 the Education and Interior ministries also attended several meetings on Frisian in education, organised by Fryslân provincial authority and DINGtiid. Talks were also held with SPLIKA which represents the interests of Papiamentu speakers in Bonaire. During these talks, the Ministry referred to the existing legislation on Papiamentu.

As we have said, the Ministry of Social Affairs and Employment meets with Roma and Sinti representatives at their request to discuss issues important to these communities. In this flexible dialogue, the authorities consult professional experts, opinion leaders, members of the language community and/or representatives of groups, and various issues may be discussed.

## 4.2 Findings concerning Part III of the Charter: Frisian

### Article 8 – Education

**16. The Committee of Experts notes, however, that most profiles are focused on oral use and developing a positive attitude towards Frisian. This might not be in line with the undertakings chosen under Part III of the Charter.**

Schools in the Frisian language area (all Frisian municipalities except the Frisian Islands and the municipality of Weststellingwerf) are obliged under the Primary Education Act and the Secondary Education Act to provide Frisian language lessons. This means that schools must offer their pupils a course based on the attainment targets for the Frisian language. These are laid down in the Revised Attainment Targets (Primary Education Act) Decree and the Revised Attainment Targets (Secondary Education Act) Decree. The attainment targets for primary education concern attitude, listening, speaking, reading, writing and language awareness. The attainment targets for secondary education are arranged differently, namely: 1. Attainment targets for those living in a bilingual culture, 2. Attainment targets for pupils with Frisian as a second language and 3. Attainment targets for pupils with Frisian as their mother tongue. The methods and profiles that schools use are not therefore focused exclusively on oral skills and changing attitudes to Frisian. For a complete overview of the profiles of Frisian schools, see also Taalplan Frysk.<sup>22</sup>

**17. According to the fifth periodical report and the additional information received by the Committee of Experts, there are about 180 Frisian-medium or bilingual day-care centres or playgroups in Fryslân (out of a total of 375 such institutions in the province). Between 30-35% of the children below four years old attend them. In order to qualify as bilingual, Frisian has to be used for at least 50% of the time; usually the time allotted to Frisian is between 60-80%. In view of the existing offer, the Committee of Experts considers the undertaking partly fulfilled. It encourages the Dutch authorities to develop a structured policy for day-care centres or playgroups offering bilingual pre-school education, as well as to increase the number of them.**

Under section 1.55, subsection 1 of the Childcare Act, Dutch must be used as the official language of communication at day nurseries in the Netherlands. In areas where Frisian or a regional language is also spoken, that language may also be used as a language of communication some of the time.

Day nurseries, childminders, playgroups and preschool tend to be commercial enterprises. They are not public services in the way that primary schools are. The provision of Frisian at day nurseries depends on demand from parents. It would not therefore be a logical step for the government to intervene in this matter. Childcare organisations are of course free to respond to the growing demand for day nurseries where Frisian is spoken alongside Dutch. There is no requirement for parents to use preschool provision/day nurseries for their children, so the number of children using preschool provision can fluctuate strongly.

Demographic trends also play a key role in this. Fryslân is experiencing population decline and this impacts first on locations for childcare/preschool provision, leading to mergers and closures.

**18. In the fourth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking. It asked the Dutch authorities to submit more detailed information about the concrete set-up of the trilingual educational model in primary education and also information on the strategy to meet the demand for Frisian language education in the future. Out of the 428 primary schools in Fryslân, 73 are included in the network of trilingual schools (Dutch, Frisian and English as languages of instruction), which represents an increase of 30 schools compared to the previous monitoring cycle. However, only 30 of these trilingual schools are certified (as 3TS basic, 3TS plus and 3TS star) as offering Frisian as a subject and as a medium of instruction; over 30 schools are in the process of**

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<sup>22</sup> [http://taalplan.frl/wp-content/uploads/2018/09/PDF\\_FRL-DEF.pdf](http://taalplan.frl/wp-content/uploads/2018/09/PDF_FRL-DEF.pdf).

certification. The degree to which Frisian is used as a language of instruction varies among schools. Teaching Frisian as a subject should take place for at least one hour per week. Between 1 ¼ hours and 3 ½ hours are used as a medium of instruction (CLIL). The subjects taught in Frisian are usually music, world orientation, gymnastics and creative subjects. In general, Frisian is used between 10-25% of the time. The Committee of Experts has been informed that the trilingual system is undergoing changes, with the introduction of English from the 1st grade onwards and of a more integrated use of languages (so-called “translanguaging”), instead of a strict division of time and themes. Furthermore, trilingual schools, of which many are small institutions in rural areas, might be at risk in the future, since a recommendation of the National Council of Education proposes to raise the minimum number of pupils in a primary school from 23 to 100 as of 2019. The Committee of Experts recalls that in many cases where general measures are taken, regional or minority languages are particularly at risk. Special measures should be adopted to ensure that these languages are not disproportionately affected. As far as the other schools are concerned, the fifth periodical report indicates that, as a result of the Administrative Agreement, the budget for the Material Preservation of Frisian (funds for teaching Frisian) has increased by € 90 000, to allow for the teaching of Frisian also in the first two years of primary education. The Committee of Experts welcomes this development. According to additional information received by the Committee of Experts, apart from trilingual education, primary schools generally offer teaching of Frisian. The teaching time is, however, limited to only one lesson of 30-40 minutes per week or is used for simple tasks or activities (understanding the language, using school television programmes and reading materials). The Committee of Experts considers that the current offer of teaching Frisian for one lesson per week or using it as a medium of instruction for only a few hours per week in some schools is too low to meet the requirements of the undertaking. In addition, this is too restricted to develop a sufficient level of literacy in Frisian. The Committee of Experts considers the undertaking not fulfilled. It encourages the authorities to strengthen the use of Frisian as a medium of instruction in primary education.

Agreements were recently made by central government and Fryslân provincial authority in the BFTK 2019-2023 to fulfil their joint responsibility and duty of care for creating the right conditions at all levels of education for a balanced provision of Frisian.<sup>23</sup> Given the failing market for Frisian teaching materials, it is desirable that the authorities play an active and stimulating role. Central government and the province have also undertaken to strengthen the use of Frisian in primary education. The development of new digital teaching methods (Spoar 8) and a method-independent assessment and evaluation system (GRIP) should promote the teaching of Frisian as a subject.

In the BFTK the provincial authority and central government set out their ambition that, by 2030, Fryslân should be a multilingual province where schools include Frisian as a subject in their curricula as a matter of course and use Frisian as the natural language of communication and instruction. Not Frisian education because it is mandatory, but because the benefits of education in Frisian are felt in practice. This implies that by 2030 it will be expected that schools in the Frisian language area will no longer apply for exemption from teaching Frisian. This ambition will strengthen the use of Frisian in primary education.

**19. According to the fifth periodical report, five secondary schools offer trilingual education. The authorities plan to increase their number to at least ten by 2018. The Committee of Experts has, however, been informed that the share of subjects taught in Frisian is very low (for example, in one case, only history and physical education). The aim to use the three languages**

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<sup>23</sup> See chapter 2 of the Administrative Agreement on Frisian Language and Culture 2019-2023 (Bestjoersôfspraak Fryske Taal en Kultuer): <https://www.fryslan.frl/document.php?m=1&fileid=51085&f=32df15b79e33a2f08950255af2567f7a&attachment=0&c=5236&preview=1&previewcode=6815857711bed705f93c95cc4bb7df03>.

according to a share of 30%-30%-40% of the time has not yet been reached. In general, Frisian is used for about 16% of the time (taught as a subject and used as a medium of instruction). Based on the available information, it is not clear to the Committee of Experts how many pupils study Frisian as a subject throughout secondary education. The Committee of Experts cannot conclude on the fulfilment of the undertaking and asks the authorities to provide additional information in the next periodical report. The Committee of Experts again strongly urges the Dutch authorities to continue strengthening the teaching of and in Frisian at all levels of education.

The network of multilingual secondary (MVO) schools is small and vulnerable. Nevertheless, the network is increasingly better organised, with minimum standards that schools must meet in order to qualify as MVO schools, and active efforts to recruit more schools. It is a big step for a school to become officially multilingual, placing great demands on the organisation of the school. Success depends on the entire team supporting the new concept. This is not always easy to achieve.

One worrying development is that some schools appear to focus on Frisian – in particular the cultural aspects of the language – only during ‘project weeks’. These schools do not meet the attainment targets for Frisian. However, the Inspectorate is not actively enforcing the rules at the moment. The new administrative agreement between central government and Fryslân provincial authority includes provisions on the role of the Inspectorate of Education and on trilingual education.

The vast majority of schools timetable one lesson a week for Frisian in the first year of secondary school. Some schools also offer Frisian as an exam subject.

**20. The fifth periodical report does not provide any information in this respect. According to the information received during the on-the-spot visit, teaching Frisian history and culture is not part of the national curriculum. Some schools, however, offer such information. They use the Frisian history “Canon” (Kanon fan de Fryske skiednis), which presents major topics of Frisian history and is developed following the model of the Canon van Nederland. Generally, only some topics are presented to the pupils. There are no exact data on how many schools use the Frisian history “Canon”. The information available to the Committee of Experts is based on the use of the Eudufrysk platform (digital education platform for pupils studying Frisian, developed by the Afûk organisation), as schools using it also use the Frisian history “Canon”. It is the case of 20 secondary schools. In primary education a pilot project is ongoing and the aim is to have 30 primary schools using Eudufrysk and the related “Canon” parts in September 2016. The Committee of Experts welcomes the fact that at least some information about the Frisian history and culture is offered in some schools. However, bearing in mind that the undertaking requires states to ensure the teaching of the history and the culture reflected by Frisian to all pupils living in the relevant territory, the Committee of Experts considers the undertaking not fulfilled. The Committee of Experts strongly urges the Dutch authorities to ensure the teaching of the history and the culture which is reflected by Frisian.**

The attainment targets are currently focused in particular on language acquisition, and not directly on history and culture. Teachers of Frisian do however use material based on the Frisian Canon,<sup>24</sup> so students learn about Frisian history and culture as part of the teaching methods.

In 2018 there was a nationwide study to ascertain how a comprehensive reform of the curriculum might be conducted in primary and secondary education. The province conducted such a study for the subject of Frisian, in accordance with the national procedure and curriculum reform. A contemporary curriculum for Frisian is currently being developed by a team of primary and secondary school teachers and head teachers in Fryslân. It is expected that the House of

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<sup>24</sup> See:

[https://www.skoal.tv/search/node/all?f\[0\]=field\\_episode\\_program%253Afield\\_program\\_age%3A9&f\[1\]=field\\_episode\\_program%3A10](https://www.skoal.tv/search/node/all?f[0]=field_episode_program%253Afield_program_age%3A9&f[1]=field_episode_program%3A10).

Representatives and the provincial council will adopt the new curriculum in 2019. The Ministry of Education, Culture and Science is providing one-off compensation for the costs of releasing teachers in the development team and at the development schools from their teaching duties so that they can participate. The Ministry of Education, Culture and Science and Fryslân provincial authority are discussing how the revision of attainment targets for Frisian can in future be aligned as much as possible with the national curriculum process.

**21. The NHL and Stenden Colleges provide teacher training for Frisian education, both for primary and secondary levels. A lectureship in Multilingualism in Education and Teaching has been jointly created by the two colleges. A trilingual stream has also been put in place for future teachers of trilingual primary schools. All students enrolled in primary teacher training take part in Frisian lessons in the first two years. However, not all continue in the following two years nor take the exam for the official qualification. This has only been the case for 36 students in 2012, 25 students in 2013, 29 students in 2014 and 17 students in 2015, for both colleges. In addition to this, a small number of students of a combined track of teacher training and pedagogy also take the exam for official qualification. A minor in Multilingual Education in International Perspective is also available and 20 students are currently enrolled. NHL offers, in addition, courses for primary school teachers on Language Policy at School, attended to this date by approximately 100 teachers. The number of students in teacher training for secondary schools is very low (12 bachelors students and 2 masters students in the current academic year). This is influenced by the low number of Frisian lessons in secondary education, which are not enough to cover a full time job as teacher of Frisian. Often, teachers of other subjects are appointed as teachers of Frisian. In an effort to improve the situation and in the framework of the restructuring of language teacher training, NHL started recently to reorganise the curriculum of teacher training for secondary schools, aiming to offer a double qualification for Dutch and Frisian. The University of Groningen also offers a two-year master in Frisian Language and Culture: Pre-higher Education Teacher Training and one student has graduated since 2012. The Committee of Experts considers this undertaking partly fulfilled with regard to primary and secondary education. While welcoming the introduction of Frisian courses in vocational education for training assistants, it maintains its view that the undertaking is not fulfilled for pre-school education. It strongly urges the Dutch authorities to continue to take active measures to provide the necessary basic and further training of teachers for teaching in and of Frisian at all levels.**

One of the principles of the BFTK 2019-2023 is that there should be sufficient training opportunities (including in-service training) for playgroup leaders and for teachers of Frisian in primary, secondary and higher education. Central government is also making efforts at all levels in this regard. The development and adoption of initial standards of competence for playgroup leaders in the Frisian language and multilingualism is ongoing. The provincial authority will continue to support the regional training centres' efforts to further integrate multilingualism modules into the curricula of the various training courses. This should be done in accordance with insights from developmental psychology and language acquisition research.

The position of Frisian is always discussed in the consultation that the member of the provincial executive with responsibility for education holds at least once a year with the chairs of the provincial umbrella organisations for the education sector (as representatives of school boards). In light of pressing current issues like the shortage of teachers and the excessively high workload in education, the umbrella organisations have indicated that they do not regard increasing the number of staff qualified to teach Frisian as their highest priority at present.

The Education Professions Act (*Wet op de beroepen in het onderwijs*) sets out the competency requirements for primary, secondary and secondary vocational teachers. New competency requirements came into force in August 2017. In any discussions with the teaching profession the provincial authority will explore the extent to which competency requirements can be included for

Frisian. Consultations are being held with the teaching profession for this purpose. It is ultimately up to the profession itself to incorporate the competencies in the Register of Teachers.

The Friese Poort and Friesland College regional training centres (ROCs) offer training for preschool provision. The introduction of optional components in secondary vocational education has created room to offer Frisian as a subject. Teaching material needs to be developed for Frisian at secondary vocational level, and Afûk is currently doing this in collaboration with the ROCs and educational support service Cedin. The position of Frisian as a subject in the various secondary vocational courses is not yet indisputable. On this matter, too, agreements have been included in the recent administrative agreement between central government and the provincial authority. The possibility of making structural central government funding available for teaching materials intended for the preservation of Frisian (MIF) in secondary vocational education is, for example, being explored.

**22. Bearing in mind the adoption of the new Frisian Education Attainment Acts, the Committee of Experts invites the authorities to provide more information on the role of the Education Inspectorate and on the year when a new report on Frisian education can be expected.**

The province has implemented the recommendations made by the Inspectorate of Education in its 2010 report *Tussen wens en werkelijkheid* ('Between Desire and Reality') insofar as it was in its power to do so. Examples include the development of GRIP (the method-independent assessment and evaluation system), the new digital teaching methods Spoar 8 (for primary schools) and Searje 36 (for secondary schools) and the detailed policy implemented in the Taalplan Frysk project. Over the coming years the Inspectorate of Education will focus on and stimulate the quality of Frisian in education, on the basis of its own role. If necessary, during its four-yearly reviews of boards and schools, the Inspectorate will check how school boards monitor and enhance the quality of the teaching materials offered, including teaching materials for Frisian. If there are signs that the teaching offered is severely sub-standard, the Inspectorate may decide to investigate the quality of Frisian in a verification or risk assessment of the school. In the event of non-compliance with the law, the Inspectorate will issue an order to rectify the situation. The Inspectorate will also conduct two special studies during the coming three language plan (Taalplan) cycles up to 2030, to monitor developments in the teaching offered in Frisian. This will safeguard and enhance the quality of Frisian in education. Separate reports will be published on these studies.

The Inspectorate does not regard Frisian as any different from other subjects when it assesses standard provision. As such, Frisian forms part of the Inspectorate of Education's standard procedures. It is treated the same as any other subject. The Inspectorate will use Taalplan Frysk to assess whether schools are working in accordance with their profile in the language plan.

## Article 9 – Judicial authorities

**23. According to the information received from the Dutch authorities, Frisian may be used both before the Court of North Netherlands and before the Arnhem-Leeuwarden Court of Appeal. The Committee of Experts was, however, informed by the representatives of the speakers that it is increasingly difficult to speak Frisian before courts, when cases are assigned to the two locations of the Court of North Netherlands outside Leeuwarden, in Groningen or Assen, or to courts in Zwolle and Almelo. Since there is still only one certified interpreter for Frisian and in the absence of Frisian-speaking lawyers, judges, prosecutors and other staff, the trial takes place in Dutch. The Dutch authorities informed the Committee of Experts that criminal cases should, with very rare exceptions, be tried in Leeuwarden; however, due to the agenda of the judges and the specialisation, some cases are tried in Groningen or Assen. The existence of only one interpreter is recognised as problematic, and the courts, interpreters' associations and Frisian organisations are making efforts to solve this issue. The Committee of Experts was also informed that the Ministry of Justice and the Council for Judiciary are monitoring the use of Frisian in courts and will prepare a report on this topic. In light of the information above and bearing in mind that the current situation does not guarantee the right to use Frisian before courts in practice, the Committee of Experts must revise its conclusion and consider the undertaking partly fulfilled. The Committee of Experts encourages the Dutch authorities to take practical steps to ensure the right to use Frisian before courts.**

Any person who lives, resides or has their registered office in Fryslân province, and is obliged to address the Northern Netherlands district court or the Arnhem-Leeuwarden court of appeal in an official capacity, or is obliged to submit to questioning or is authorised to speak in court, may do so in Frisian. If a defendant, party, witness or interested party wishes to use Frisian at the hearing, the judge in charge will decide by virtue of his or her office or on request whether the services of an interpreter are required. Central government will cover the costs of hiring an interpreter.

Only a few Frisian interpreters are available. This presents few problems in practice, as a Frisian interpreter is not often required. The general rule is that cases with a Frisian connection should be heard at the courtroom in Leeuwarden. The limited availability of Frisian interpreters is however cause for concern as it could increase the risk of cases being delayed. The parties concerned will discuss how this problem could be resolved.

Fryslân provincial authority is concerned that the limited number of interpreters will result in the permanent right to use Frisian in the judicial system remaining only a theoretical right. In accordance with the 2019-2023 administrative agreement the provincial authority will consult with the Northern Netherlands district court and the Arnhem-Leeuwarden Court of Appeal to make further arrangements.

The entry into force of the Use of Frisian Act on 1 January 2014 further strengthened the statutory basis for the use of Frisian in administrative and judicial matters. On the basis of their shared responsibility and duty of care, central government and the provincial authority agree that use of Frisian should not only be enshrined in law. They are also striving to ensure that Frisian is used as a matter of course because of the added value of using the language in a Frisian multilingual context. The provincial authority will therefore invite the judicial authorities concerned in Fryslân to discuss whether, by 2030, use of Frisian can be made not only possible, but also be natural and indisputable.

## Article 10 – Administrative authorities and public services

**24. During the on-the-spot visit, the Committee of Experts was informed that the re-organisation of Frisian municipalities is ongoing (see under 7.1.b). The Frisian speakers consider that this process affects the position of Frisian. During this re-organisation, mainly rural municipalities were merged or split and attached to other municipalities. For example, in 2014, the municipality of Boarnsterhim, with a majority of Frisian speakers, was split between Leeuwarden, Heerenveen and a new municipality, Súdwest-Fryslân; in 2018, the municipality of Littenseradiel, over 80% Frisian-speaking, will be split between Leeuwarden, Súdwest-Fryslân and a new municipality, Waadhoeke. New municipalities have their administrative centre in larger cities (Leeuwarden, Heerenveen, Sneek), where Frisian is spoken to a lower extent, and no longer in the rural area, largely Frisian-speaking. Although agreements have been concluded with the new municipalities, in practice the protection of Frisian has weakened. According to the Frisian speakers, the language receives less attention and support and its use decreases. Although the above-mentioned agreements state that the Frisian language policy level cannot decrease, in fact this falls back to the lowest level in the merging municipalities. The Committee of Experts encourages the authorities to ensure that Frisian can be used in practice in the new municipalities and to provide detailed information on its use in the new framework.**

When municipal boundary changes are planned, Fryslân provincial authority asks municipal authorities to indicate how an active language policy will be pursued in the newly formed municipality. This is based on the principle set out in the Charter that new or existing administrative boundaries should not form any obstacle to the promotion of Frisian. No municipal boundary changes are planned for the coming period in Fryslân.

As *Taalskipper* the provincial authority promotes and facilitates the development of language policy. This includes policy support in the form of the deployment of officials and issuing of advice on setting up projects to improve the status of the Frisian language, support for the implementation of a baseline survey to precisely identify language policies in the various municipalities, and coordinating talks on language policy. The aim is to ensure that the status of the Frisian language plays a recognisable role in the new municipality.

The provincial authority has set up a financial scheme (*Mei-inoar foar it Frysk*) to support municipal authorities as they implement the Use of Frisian Act, which entered into force on 1 January 2014. Central government has made extra funding available during the term of the BFTK 2019-2023 for the implementation of this legislation.

**25. According to the fifth periodical report, the authorities enable, as much as possible, the use of Frisian in relations with the police, the fire or the ambulance services. The Use of Frisian Act indicates that a central authority may ask its local branch to prepare rules on the use of Frisian. The Dutch authorities informed the Committee of Experts that this has not yet been the case. In the absence of any information on the practical implementation of the undertaking, the Committee of Experts maintains its previous conclusion that the undertaking is not fulfilled. The Committee of Experts urges the Dutch authorities to implement the necessary legal and practical measures so as to ensure that the present undertaking is fulfilled.**

If the Ministry of the Interior, as coordinating ministry, receives indications that existing legislation does not cater adequately for the language situation in Fryslân, it contacts the ministry responsible. Regulations concerning the accountability of Frisian public benefit organisations have for example recently been amended. The Tax and Customs Administration, which draws up the rules governing public benefit organisation status, is part of the Ministry of Finance. Its authority extends to the province of Fryslân. Under the Tax and Customs Administration's guidelines applicable at the time, Frisian public benefit organisations could not provide accountability in Frisian without losing this status. The Ministry of the Interior contacted the Ministry of Finance, and the regulations were amended to allow Frisian public benefit organisations to account for their finances and activities in Frisian. This has also been included in the new administrative agreement.

The new administrative agreement also states that Fryslân safety region, under the terms of the Use of Frisian Act, will be actively involved and will be encouraged to develop, implement and, if necessary, update language policy. The emergency control centre serving the Frisian language area (currently in Drachten) will maintain a Frisian language policy. It is important that there always be enough Frisian-speaking staff available so that emergency calls from Fryslân can always, as a matter of standard procedure, be dealt with in Frisian. As regards the Northern Netherlands regional police unit, the administrative agreement also provides that Frisian citizens in the North Netherlands region may avail themselves of their right to report crimes to the police in Frisian. The provincial authority and central government will encourage the police to ask Frisian citizens which language they prefer to use and to record this preference as a matter of standard procedure. The provincial authority and central government will hold consultations on the matter with the regional chief of police of the Northern Netherlands unit.

**26. During the on-the-spot visit, the Committee of Experts noted that Frisian place names are used only to a limited extent, in particular in Leeuwarden. The Committee of Experts underlines that the term “place-names” within the meaning of the present undertaking concerns not only the name of a municipality, but all topographical names in that municipality that can be officially used, for example in texts produced by the authority (e.g. documents, forms, public relations material, websites) or in signage (e.g. street name signs, signposts and public transport signs, indications for tourists). The Committee of Experts encourages the authorities to ensure the use or adoption of traditional and correct forms of place names in Frisian.**

Municipal authorities are free to use Frisian place names in documents or in public spaces. The Municipalities Act (*Gemeentewet*) stipulates only that the name of the municipality/place as recorded in the Land Register must in any case be visible on topographical signs. In its role as *Taalskipper* Fryslân provincial authority may inform municipal authorities about the option of using bilingual signs and the importance of this for the Frisian language. The provincial authority recently published an alphabetical list of all place names in Fryslân in both Dutch and Frisian on its website. One example of this municipal power in practice outside Fryslân can be seen in Limburg where, despite the fact that Limburgish is not covered by Part III of the Charter, a number of authorities use bilingual place name signs within their municipalities.

The administrative agreement states that, whenever Frisian toponyms are officially adopted by the competent authority, only the Frisian toponym will be used in the Addresses and Buildings Database (or land registry systems). The Land Registry will ensure its main register is up to date so that only the Frisian place and water body names officially adopted by the competent authority are used. Frisian local authorities will decide themselves on the names of places of residence, addresses, topographical areas etc. and record these in their own Addresses and Buildings Database. The Land Registry will include a copy of the municipal source data in the national database.

**27. The Committee of Experts received no relevant information in this respect. It therefore maintains its previous conclusion that the undertaking is not fulfilled. The Committee of Experts encourages the authorities to ensure compliance, as far as possible, with requests from public service employees who speak Frisian to be appointed in the territory in which this language is used.**

No requests from Frisian-speaking public servants to work in a Frisian language area have been received to date. Should any Frisian-speaking employees of central government express a preference to work in Fryslân, it will be decided on an individual basis to what extent this can be taken into account.

## Article 11 – Media

**28. The representatives of the Frisian speakers and of Omrop Fryslân express serious concerns about the amendments to the Media Act and the future of Frisian-language broadcasting. Omrop Fryslân will no longer have its own board and will lose influence on the programmes, also due to the funding set-up in the new structure (there will be no earmarked funding for Omrop Fryslân). They fear that many of the programmes, starting with Frisian drama or children programmes, will no longer be produced and that the overall quality will decrease. The new set-up does not seem to improve the presence of Frisian in the media, as recommended by the Committee of Experts. As the legislation is not yet finalised, the Committee of Experts cannot conclude on the fulfilment of the undertaking. It urges the Dutch authorities to ensure that the position of Frisian in media is not negatively affected.**

By ‘the new Media Act’ the Committee of Experts is apparently referring to the bill to amend the Media Act 2008 (modernisation of regional public broadcasting). The bill was not ultimately brought before the House of Representatives, however. Nevertheless, in view of the Use of Frisian Act, the European Charter for Regional or Minority Languages, the Framework Convention for the Protection of National Minorities and the report of the ad hoc committee on the preservation of the Frisian Language in the media (2013), chaired by R.J. Hoekstra, Fryslân provincial authority and central government believe it is important to provide extra safeguards for the position of the Frisian language in the media. Such safeguards have been provided in the form of the Administrative Agreement on the Use of the Frisian Language in the Media 2016 (Government Gazette 2016, no. 68855). The arrangements in the administrative agreement have as far as possible, and where they are still relevant, been incorporated into the BFTK 2019-2023 that came into force on 1 January 2019.

The administrative agreement guarantees the status of the Frisian language in the media. Omrop Fryslân broadcasts in Frisian and therefore has a special responsibility for the preservation, promotion, development, transfer and use of Frisian as a living language. The administrative agreement guarantees full, independent, wide-ranging programming and media in Frisian, available on several platforms on a daily basis, and with a clear profile in the media system. The funding of Omrop Fryslân by central government and the provincial authority is referred to in the administrative agreement and is therefore guaranteed. The broadcaster has provided for any financial setbacks by introducing flexible staffing policies.

Previously announced cutbacks of €17 million a year for the regional broadcasting companies took effect on 1 January 2017. Every regional broadcasting organisation, including Omrop Fryslân, is required to shoulder some of the burden. It has been agreed with the regional broadcasting companies that when making the cutbacks, they will attempt to spare programming and newsrooms as much as possible. Cooperation between regional broadcasting organisations will be crucial in dealing with the cutbacks. Regional broadcasters that propose forming partnerships may be eligible for compensation of the – one-off – associated costs.

With regard to Frisian media, the influence of central government and the provincial authority is restricted to funding and safeguarding the interests of the Frisian media. They may not interfere in the form and content of media organisations’ media programming. Under the Media Act 2008 the media organisations themselves determine the form and content of their media programming. This means, among other things, that the authorities may not oblige media organisations to use Frisian. Media institutions are however free to provide media programming in Frisian. There is no scope for influencing the content of Frisian media programming.

**29. The fifth periodical report does not provide specific information in this respect. It indicates that the Province of Fryslân set up a Frisian Media Fund, to promote innovations in media and investigative journalism. Until 2015, €100 000 was made available annually to Frisian language media. However, the Committee of Experts has not been informed of any private radio stations or television channels broadcasting in Frisian. The Committee of Experts considers**

**these undertakings not fulfilled. It again strongly urges the Dutch authorities to take steps to promote the use of Frisian in private broadcasting**

Omrop Fryslân is the media organisation that provides media programming about Fryslân, in Frisian, on both radio and television.

The table below sets out details of Omrop Fryslân's budget and the hours broadcast.

	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Annual budget	€15,168,181	€15,480,432	€14,801,122	€14,612,725
Radio broadcasts, in hours	8,395	8,395	8,760	8,760
Television broadcasts, in hours	993	1,960	1,600	1,600

The Media Act 2008 stipulates that providers must in any case offer access to Omrop Fryslân to their subscribers in Fryslân and in provinces bordering Fryslân. In practice, the two largest providers, Ziggo and KPN, offer access to Omrop Fryslân's television channel throughout the Netherlands. Omrop Fryslân radio and television channels can also be received via satellite and online (on the website and in the app) throughout the country. The radio channel is also available on internet radio. Omrop Fryslân also produces a weekly television documentary series on Frisian themes called Fryslân DOK, which is broadcast on national television. The series is in Frisian, with Dutch subtitles.

## Article 12 – Cultural activities and facilities

**30. The fifth periodical report indicates that changes to the funding of the Frisian cultural institutions are to be discussed with the Province of Fryslân. To this date, an important network of cultural bodies promoting Frisian is active in Fryslân. The Committee of Experts asks the authorities to provide information on the funding of cultural institutions in the next periodical report.**

In accordance with the Cultural Policy Act, the Dutch government guarantees a financial contribution to a wide and varied range of cultural institutions and programmes. The cultural institutions directly funded by central government form the basic national infrastructure (BIS) of the national cultural system. The BIS provides guaranteed grants for a four-year period. The main criteria for public funding in the national system in the 2017-2020 period are artistic quality and geographical distribution. Other criteria are cultural education and participation, and social value.

Cultural institutions wishing to be included in the BIS must submit an application to the Council for Culture (*Raad voor Cultuur*), which selects cultural institutions for the BIS based on content.

In 2006, the Ministry of Education, Culture and Science established a number of publicly managed and funded cultural funds. These allocate grants to cultural institutions or individual artists according to their specific aims. Provincial and municipal authorities also award grants.

As part of the BIS, Tryater theatre company receives an annual grant of €1,600,000 over the 2017-2020 period. The Dutch Foundation for Literature (*Letterenfonds*) supports Explore the North, an interdisciplinary production platform for literature, language and multilingualism, with annual funding of €60,000 to boost literary publishing in the northern Netherlands.

**31. The Committee of Experts reiterates that the present undertaking concerns above all the way in which the country presents its own diverse linguistic and cultural heritage abroad. This could consist of cultural exchanges, references to the regional or minority languages spoken in the Netherlands in the context of exhibitions or events, or information material aimed at an international public. The Committee of Experts considers this undertaking not fulfilled. It again strongly urges the Dutch authorities to include the Frisian language and the culture it reflects in its cultural policy abroad.**

The province of Fryslân is a member of the European Network to Promote Linguistic Diversity (NPLD), a key platform organisation for areas and regions where a minority or regional language is used. The province has chaired the platform several times. The province actively uses the platform to share knowledge of multilingualism and to work in collaboration where possible. For example, the province collaborated actively within the NPLD on the document ‘Classroom activities’, recently published by the Council of Europe (February 2019).<sup>25</sup>

Dutch Frisians in Fryslân have frequent and diverse contacts with German Frisians. The Inter-Frisian Council plays a key role in these contacts. It offers several civil society organisations the opportunity for exchanges on subjects like history, culture and language. The Administrative Agreement on the Frisian Language and Culture calls for strengthening and further institutionalising inter-Frisian contacts between Fryslân province and German federal states. During the term of the agreement, the potential for exchange and collaboration between the Frisian language areas in the Netherlands and Germany (and the Wadden region) will be a particular focus of attention.

The Fryske Akademy (Leeuwarden) and the Frisian department at the University of Groningen have a range of contacts with institutions and organisations such as the Nordfriisk Instituut (Bräist/Bredstedt), the Ostfriesische Landschaft (Aurich) and Kiel University.

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<sup>25</sup> <https://www.npld.eu/educational-guidelines-to-bring-in-linguistic-diversity-in-the-classrooms/>.

In 2018 Leeuwarden was cultural capital of Europe. This helped generate cultural exchange and tourism in the province of Fryslân and the municipality of Leeuwarden. Many international contacts were forged. The *Lân fan taal* ('Land of Language') project was set up as part of Leeuwarden-Fryslân 2018. The idea behind *Lân fan taal* was to offer a creative free space for celebrating one's language. Many organisations and individuals in Fryslân and elsewhere worked together to preserve language diversity for the future.

The new BFTK includes agreements on the inclusion of the Frisian language and culture in Dutch foreign policy. The Frisian language and culture must have a clear position in Dutch embassies' policy on informing people about the language and culture of the Netherlands. Twice during the term of the administrative agreement the Ministry of Foreign Affairs will send instructions to the Public Diplomacy and Cultural Affairs sections of all Dutch embassies to draw their attention to the statutory status of the Frisian language and culture. The instructions will encourage Dutch embassies to consider the statutory status of the Frisian language and culture in their public diplomacy and cultural policy. The point concerning the Frisian language and culture may also be included on an ad hoc basis in follow-up days and in professional development activities for cultural attachés.

Centre of expertise Tresoar in Leeuwarden is affiliated to several European organisations. The theatre in Leeuwarden has ties with Lapland, a region where minority languages protected under the Charter are also spoken.

The Council for Culture is calling for the forthcoming policy on culture (2021-2024) to include a regional cultural infrastructure. The Council hopes that the inclusion of a regional cultural infrastructure in the national cultural system will generate more acknowledgement of and funding for cultural programming in the regions. The current national cultural system includes a number of organisations that promote the Frisian language and culture, such as Tryater and Tresoar. Tryater is a professional theatre company with Frisian roots. It is assessed by the Council for Culture on the basis of the principles in the central government cultural policy document. The Frysk Letterkundich Museum and Dokumentaasjesintrum FLMD (Frisian Museum of Literature and Documentation Centre) are part of Tresoar.

Central government funds for international cultural policy are used to promote and support international projects by organisations in the regions. The Dutch Foundation for Literature (*Letterenfonds*) includes Frisian literature in its activities. The Foundation's stipends for authors and translators are also accessible to Frisian writers.

The Cultural Participation Fund also has a 'regional talent' grant scheme that encourages cultural projects, which may also be related to Frisian.

## Article 13 – Economic and social life

**32. The fifth periodical report does not provide specific information in this respect. The Committee of Experts maintains its previous conclusion that the undertaking is partly fulfilled. It urges the Dutch authorities to identify the economic and social sectors that are relevant for this undertaking, to raise their awareness of the promotion of Frisian and to organise activities promoting this language.**

There are no economic and social factors that are directly relevant to this article. The BFTK again includes agreements to the effect that companies in Fryslân will be encouraged to use Frisian in their external communications, thus raising the language's profile. Further efforts will be made to improve the position of Frisian in the economic domain. The added benefits of the Frisian language, culture and identity for business will be made clear at special events such as knowledge sessions, where businesses can also learn how they can strengthen their identity as a Frisian company. During the term of the administrative agreement the Stipepunt Frysk, part of the language promotion institute, will be involved in these efforts. Fryslân provincial authority will also launch a study this year on the role of Frisian in business. Best practice will be identified to serve as a basis for future policy.

**33. During the on-the-spot visit, the Committee of Experts was informed that there is no law or regulation in place requesting that health and social care facilities offer the possibility to use Frisian. In practice, Frisian is used in health care provision, especially in small places, but its use is not guaranteed on a general level. According to the representatives of the speakers, in some cases the use of Frisian was even discouraged. The Committee of Experts asks the authorities to clarify whether in some domains Dutch is obligatory. As far as the training of staff is concerned, the Committee of Experts was informed that in the 2015-2016 school year optional courses of Frisian were introduced in the vocational training of health care workers, at the initiative of the vocational training institutions, for three hours per week during one semester. The Committee of Experts welcomes the development concerning the teaching of Frisian in vocation training of health care staff. It underlines that the undertaking requires the authorities to ensure that social care facilities offer the possibility of receiving and treating Frisian-speakers in their own language. A comprehensive and structured approach is therefore needed, comprising clear legal guidelines ensuring the possibility to use Frisian, a human resources policy (which includes regulations governing the relevant qualifications and takes account of a person's knowledge of Frisian, or facilities and incentives for the existing personnel to improve their language skills) and ensuring that both staff and persons concerned are aware of the possibility to use Frisian. Bearing in mind the current existing practical use of Frisian, the Committee of Experts maintains its previous conclusion that the undertaking is partly fulfilled. It encourages the authorities to adopt a structured policy with a view to ensuring that social care facilities may receive and treat those concerned in Frisian.**

The new BFTK includes a number of agreements concerning Frisian in healthcare. The 'Frysk yn 'e soarch' (Frisian in care settings) project will be continued, focused among other things on ensuring that use of Frisian is undisputed in care settings. The project will focus on maternity care, baby and toddler clinics, hospitals, nursing homes, general practitioners, emergency control centres and home help provided under the Social Support Act. The possibility of including Frisian in quality assessment frameworks will be explored in contacts with nursing homes. To this end, talks will be initiated with municipal authorities, which are responsible for implementing the Social Support Act, purchasing care services and liaising with health insurance companies.

During the term of this administrative agreement the province will investigate the possibility of including language awareness and the importance of using patients' mother tongue in the curriculum of various healthcare and welfare courses at higher professional (HBO) level (in addition to secondary vocational healthcare training).

During the term of this administrative agreement the province will examine – if necessary by means of a pilot project – in consultation with the Ministry of Health, Welfare and Sport, the extent to which bilingual animations can be used in all Frisian hospitals. It will first identify existing Frisian-

language tools for healthcare institutions, hospitals in particular, and establish what additional tools might be needed.