

ADMINISTRATIVE AGREEMENT ON RECOGNITION BY THE NETHERLANDS OF THE LOW SAXON REGIONAL LANGUAGE

The Parties,

The Minister of the Interior and Kingdom Relations, acting in the capacity of an administrative authority, hereinafter 'the Minister';

and

Drenthe provincial authority, represented by member of the provincial executive C. Bijl, implementing the decision of the provincial executive of 02/10/2018;

Fryslân provincial authority, represented by member of the provincial executive S.A.E. Poepjes, implementing the decision of the provincial executive of 25/09/2018;

Gelderland provincial authority, represented by member of the provincial executive J.P.M. Meijers, implementing the decision of the provincial executive of 25/09/2018;

Groningen provincial authority, represented by member of the provincial executive H. Staghouwer, implementing the decision of the provincial executive of 25/09/2018;

Overijssel provincial authority, represented by member of the provincial executive W.H. Maij, implementing the decision of the provincial executive of 02/10/2018;

Ooststellingwerf municipal authority, represented by member of the municipal executive F. Hylkema, implementing the decision of the municipal executive of 12/06/2018;

Weststellingwerf municipal authority, represented by mayor N.A. van de Nadort, implementing the decision of the municipal executive of 21/09/2018;

referred to jointly below as 'the parties';

Whereas:

- the Low Saxon regional language has been recognised under part II of the European Charter for Regional or Minority Languages (hereinafter 'the Charter'). The Dutch government thus acknowledges the regional language as an enrichment of the Netherlands' cultural heritage, and the relevant provincial and municipal authorities may pursue their own policy regarding Low Saxon;
- the parties consider it desirable that government in the Netherlands clearly express a common vision of the value and status of Low Saxon;
- the parties consider it important to jointly endorse the desirability of the existence of Low Saxon as a living language, in both spoken and written form;
- use of the main variations of contemporary Low Saxon, its functioning as a living means of communication, and facilitation of its use in administrative matters and in cultural expression are important for Low Saxon speakers' culture and identity;
- Low Saxon is regarded as a present-day manifestation of a living, ancient tradition that is being continued in a modern way;
- it is important to promote and strengthen the image and potential uses of Low Saxon so that older generations are encouraged to pass on their language to younger generations, and young people are willing to learn and use the language;
- the parties will determine by consensus the implications of recognition within the Netherlands, and in doing so will not take part III of the Charter as their point of departure;
- primary responsibility for developing policy on Low Saxon lies with the Low Saxon authorities, and they will decide how appropriate consideration can be given to the

protection of Low Saxon, with the Minister playing a complementary role where possible;

- policy aimed at promoting the use of Low Saxon will emphatically not lead to the introduction of obligations and regulations;
- the importance of Low Saxon in trade with the northern German federal states is acknowledged;
- in places where a regional language is a living language, teaching may already take place in that language in primary schools;¹
- Low Saxon may be offered at secondary schools in addition to the compulsory material, subjects and programmes, in the hours over and above the core curriculum.²

Have agreed as follows:

Article 1

The Minister recognises the Low Saxon regional language as an intrinsic, integral and independent part of the language system of the Netherlands.

Article 2

1. The Parties will make every effort within their power and will cooperate to preserve the Low Saxon language in the Netherlands and to promote its use, without passing new legislation.
2. The efforts and cooperation referred to in paragraph 1 will be further specified in procedural agreements, established by consensus, on such matters as the frequency of meetings, actively keeping each other informed, sharing of best practices, and coordination of and communication on projects that transcend local and regional interests. These agreements must be appropriate to the national, regional and local context, and underline the national recognition of the language.
3. The Parties bear joint responsibility for the agreements referred to in paragraph 2.
4. The Parties will examine the effect of this agreement within two years of its entry into force.

Article 3

1. This agreement is not enforceable by law.
2. This agreement enters into force on the day after it is signed by all Parties, and is entered into for an indefinite period.
3. The text of this agreement will be published in the Government Gazette (*Staatscourant*).

Article 4

1. Any party may withdraw from the agreement, in writing, subject to a notice period of eight weeks.
2. If a party withdraws from the agreement, the remaining parties will consult each other concerning the implications for the agreement.
3. In the event of termination of the agreement due to withdrawal, none of the parties is liable towards any of the other parties for damages.

Drawn up and signed in octuplicate,

¹ See section 9, subsection 13 of the Primary Education Act.

² See also article 26b, paragraph 7 (d) and article 26c, paragraph 6 (d) of the Secondary Education (Organisation of Teaching) Decree.

Ms K.H. Ollongren,
**Minister of the Interior and
Kingdom Relations**

Mr C. Bijl,
Drenthe provincial authority

Ms S.A.E. Poepjes,
Fryslân provincial authority

Ms J.P.M. Meijers,
Gelderland provincial authority

Mr H. Staghouver,
Groningen provincial authority

Ms W.H. Maij,
Overijssel provincial authority

Ms F. Hylkema,
Ooststellingwerf municipal authority

Mr N.A. van de Nadort,
**Weststellingwerf municipal
authority**

In Zwolle on 10 October 2018

Explanatory notes

Introduction

One of the key reasons for specifically acknowledging the social value and status of the Low Saxon language in the Netherlands is to express the fact that the government regards Low Saxon as an essential part of the language system in the Netherlands. It is important that the implications of recognition within the Netherlands continue to be decided by consensus between the parties, rather than on the basis of part III of the Charter. The agreement is emphatically not intended to introduce new obligations, but to ensure the Low Saxon authorities promote the use of Low Saxon.

Background

There is support among the national, regional and local authorities concerned for an administrative agreement on recognition in the Netherlands of the Low Saxon language. The Minister has taken note of the fact that fewer and fewer young people are being taught Low Saxon and that this will lead to an undesirable weakening of the language in the long term. The image of Low Saxon therefore needs to be improved, and people encouraged and given more opportunity to use it, so that older generations of speakers are more motivated to pass their language on to younger generations, and young people are more motivated to learn and use Low Saxon.

Agreements

The Minister and the Low Saxon authorities jointly acknowledge the desirability of Low Saxon existing as an integral and living language, in its spoken and written form. In addition, the use of Low Saxon is regarded by all as something that unites communities in the east and north of the country.

The Minister takes the view that the parties could jointly play a constructive role in fulfilling needs that transcend local and regional policy, but which complements these policies and is necessary for Low Saxon to function as an integral language in the regions. The Minister can play a role that is supplementary to the policies of the Low Saxon authorities. The different regions will design and implement their own policies tailored to their specific situation.

National recognition by the Netherlands complements but does not replace or diminish the significance of existing recognition – either implied or openly expressed – at local, regional and international level. Primary responsibility for developing policy on Low Saxon lies with the Low Saxon authorities. Where the national government can or must play a practical complementary role, the Minister is prepared to do so, or to arrange for this to be done.

The parties agree, in light of the purpose of this administrative agreement, to make agreements with regard to the frequency with which they will hold regular consultations, as well as on actively keeping each other informed, sharing best practices and, when necessary, taking joint action. These procedural agreements and the manner of cooperation will be determined and/or updated by consensus. The parties will jointly implement these agreements and monitor their implementation. No bureaucratic control mechanisms will be put in place.

Increasing use in various domains (such as regional and local administration, culture, the media, education and knowledge development) and growing appreciation of the language will play an essential role in ensuring that Low Saxon remains in use as a living language and continues to evolve. The more a language is used in all domains, the more firmly it will be embedded in people's consciousness and in social contexts and institutions.

The Minister and the Low Saxon authorities will explore the extent to which Low Saxon can be promoted in various areas of society. The Minister of the Interior will where necessary coordinate with other members of the government.

Term of validity and withdrawal

The parties enter into the agreement for an indefinite period. Each party may withdraw, in writing, taking into account an eight-week notice period, if a change of circumstances occurs such that this agreement must reasonably be terminated in the near future.