

PACE hearing on minority languages

“Twenty years on: Shortcomings and challenges in the use of regional or minority languages at local and regional level”

Sub-Committee on the Rights of Minorities of the Parliamentary Assembly's Committee

Wednesday 25 April 2018, 2pm - Room 3 of the Palais de l'Europe

Notes for Andrew Dawson

‘Fastyr mie

▲ Ta'n ennym orrym Andrew Dawson

Ta mee voish Ellan Vannin

▲ Ta mee cummal anys Frodsham, Sostyn

Cha nel aym loayrt monney Gaelg’

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‘Good afternoon

I am Andrew Dawson

I'm from the Isle of Man

I live in Frodsham, England.

I don't speak much Manx!’

Manx is the native Celtic language of the Isle of Man.

As all of us who know this place recognise - at the Council of Europe you hear many languages. Whilst we have two official languages we recognise that if we are to have effective dialogue and communication between representatives of 47 member states we need the expert help and assistance of our wonderful translators.

Language isn't just an issue between member states it is often an issue in member states. It crops up time and time again in the work of the Congress most often in the context of complaints about alleged violations or breaches of the European Charter on Local Self-Government

However the text of the Charter on Local Self Government doesn't mention language or languages.

Language and languages are very important. At base they are an essential means of communication. They can and often do reflect important cultural or ethnic identities. They can also have a darker side when questions of language become entwined with nationalism.

We are here for the 20th anniversary of the European Charter for Regional or Minority Languages - which focuses on indigenous languages. This charter was

prepared following an initiative by the Standing Conference of Local and Regional Authorities of Europe – the ancestor of the Congress I represent here today!

As I'm a UK citizen let's just think about that member state for a moment. In the UK, many many languages are spoken. English though is obviously predominant.

English is not protected as an 'official language.' There is only one language that has official status anywhere in the UK - and that is Welsh in Wales.

Did you know that the term 'Welsh' is derived from old English meaning 'foreigner' or Celt. For the Welsh, Wales is Cymru and that word is derived from the ancient Brythonic language where 'combrogi' meaning 'fellow countrymen.'

The question of language in Northern Ireland is a hot topic. It is one of the issues holding up the Northern Ireland Assembly being reconstituted. In Northern Ireland English is overwhelmingly predominant - however Irish and Ulster Scots are spoken or understood by some.

If you look at a current UK passport you'll see Welsh and Scots Gaelic on the inside title page. Other languages such as Scots or Irish could have claims to be on a UK passport as indigenous languages.

The UK Government has recognised Cornish as a minority language and has supported the Crown dependencies of the Channel Islands and the Isle of Man in protecting the indigenous languages of Jersey and Guernsey and, close to my heart, the Manx language in the Isle of Man.

Incidentally each of my three children has a Manx middle name. That had hard moments for them growing up in England where teasing ensued - but now it is a badge of honour and a question of curiosity for passport control officers.

On my wedding day I sent roses to my wife to be with a card saying 'Ben-my-Chree.' Many will know the Ben-my-Chree is a car ferry serving the Isle of Man. However properly pronounced and with its real meaning it is 'ben my chree' or girl of my heart. I wasn't promising my wife a car ferry on my wedding day!

Moving away from indigenous languages to consider other languages spoken in a country the UK's position is also very interesting. According to the last census 1% of the UK population speaks Polish. We've been welcoming Poles for centuries as we've welcomed many many other peoples and communities.

There are 300 different languages spoken in English schools and there are schools where Polish, Bengali, Somali, Gujarati, Arabic, Tamil and Pashto are spoken by more children than English. These languages aren't protected by the Charter - but are spoken by many many more people in the UK than the languages that are protected.

This distinction begs an interesting question 'when is an immigrant no longer an immigrant?' When should a language be protected? What about the importance of community cohesion?

Slovakia has declared Yiddish as one of its languages to be protected by the Charter. Presumably Yiddish came to Slovakia through immigration.

The following quote is an extract from the Charter's explanatory memorandum:

*'The charter does not deal with the situation of new, often non-European languages which may have appeared in the signatory States as a result of recent **migration***

flows often arising from economic motives. In the case of populations speaking such languages, specific problems of integration arise.'

The committee of experts on regional or minority languages in Europe took the view that these 'new language issues' needed to be addressed **separately**, and if appropriate in a specific legal instrument.

Perhaps all of us can understand the historical context of this – the concern to preserve languages which are in danger of dying out.

For example the Manx language went into sharp decline in the nineteenth century when English was made the compulsory language of education.

The last native Manx speaker died in 1974 - when I was 10. He lived down the road from my grandparents. I knew him and heard him speak it. Strenuous effort are being made to preserve the language but understandably the domination of English pervades all. Just imagine not being able to speak the language of your forebears. However there are other issues that deserve our attention. Language and languages are not simple issues.

Returning to the Charter

The Charter's overriding purpose is cultural. It is designed to protect and promote regional or minority languages as a threatened aspect of Europe's cultural heritage.

BUT

when it comes to providing local public services, when it comes to supporting and enhancing the rule of law, human rights and democracy do we need to do more? Do we need to go beyond so called 'indigenous language.'

My personal answer to this is a qualified 'Yes' or a 'Yes, but.'

Who would deny translation services to help anyone in an emergency, or when medical help is required, or when facing prosecution in court?

What about ensuring proper political rights and participation. Don't citizens need communication in the language they fully understand to participate fully in democracy?

Again, the answer in my view is a 'yes or a yes but...'

The UK's position on this has developed over the years.

Translation of local authority policies and information became something of an industry from the 1980s onwards. The UK government in 2013 estimated that at its height over £100 million was spent in translating public sector information into minority languages.

In 2013 the policy changed. The Secretary of State pointed out that these translations were not necessarily cost effective and that they did not encourage community cohesion. He stated this:

'Stop translating documents into foreign languages: only publish documents in English. Translation undermines community cohesion by encouraging segregation.

However the Secretary of State for Communities and Local Government balanced this pronouncement by reinforcing the duties that all local authorities have under the Equalities Act 2010 - which include taking decisions designed to reduce 'inequalities of outcome which result from sociology-economic disadvantage.' This can, of course, include disadvantage by not being able to communicate in English.

The Secretary of State accepted that translation into minority languages could be justified - but that promoting community cohesion was a very important goal in itself. Language lessons are provided.

Each member state faces different challenges. Each local authority faces a different range of challenges when it comes to languages. This isn't a black and white, or right and wrong issue. It is much, much more nuanced. It can be a very difficult question and one that provokes understandable concern.

So why do we produce a new report especially when we just adopted one last year?

Let's think about this dispassionately.

Isn't it self evident that if a local authority wants truly to meet the needs of its citizens that it must communicate in language which is readily understood and enables the citizen to participate fully and deeply in local democracy? Isn't this also about equal access to service and the protection and promotion of human rights and the rule of law? It is also about safety and making sure people know about risks and dangers.

But isn't it also self evident that a citizen also has a responsibility to try to integrate? And that a member state and its local authorities surely must promote community cohesion?

Let's think about for example

- French-speakers in Belgium
- Hungarian-speakers in Romania
- Minority language speakers in Turkey
- Russian-speakers in the Baltic states
- Russian-speakers in Ukraine

This list goes on and on, even before we think migration flows from outside Europe.

These are difficult political issues.

Should we steer away from these difficult political issues?

In the Congress, it would be easy for us to say that language issues are not within our competence.

But we have come to accept that we do have to look at these issues – within the framework of our European Charter of Local Self-Government which includes, and the application of provisions such as:

- Art 3 - the right and ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs
- Art 7: the conditions of office of local elected representatives shall provide for free exercise of their functions

In the new report we will focus on the use of languages in local and regional administrations and the provision of public services.

I believe we should not limit ourselves solely to indigenous languages, but crucially I believe we should also weigh in the balance other important questions such as diversity and community cohesion.

This will be a report from the local authority perspective – and also a celebration – since so many of our local authorities are operating in multilingual environments. Most of them do these ‘serenely’ – and without inflaming tensions.

Our conference next month (31 May, Romania, Covasna county) will kick off this report. We will have four specific debates:

1. The use of languages in political assemblies
2. The use of languages and communication between the public authorities and the citizens / citizen participation
3. Toponymy – naming places, streets, buildings
4. Languages and the provision of public services: postal services, hospitals, electricity, transport, and so on

What will come out of this? Maybe it is time to link the language issue more to our growing cultural and ethnic diversity. Local and regional authorities should be able to respond to local needs and to take a flexible approach and not necessary have to take commandments from “on high”.

I hope you’ll encourage us in our work.

Gura mie mooar eu

Slane lhiu

A big thank you to everyone

Goodbye