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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

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**GIVING REGIONAL
AND MINORITY
LANGUAGES A SAY**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The charter:
giving regional
and minority
languages a say

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USING A LANGUAGE MAKES IT STRONGER. USE IT, DON'T LOSE IT!

Many European countries have, on their territory, autochthonous groups that speak a different language than that of the majority of the population. The number of speakers of such regional or minority languages varies greatly, as does their legal status in the individual states. However, what many have in common is precariousness, albeit to varying degrees.

The European Charter for Regional or Minority Languages (hereinafter “the charter”) is the only treaty in the world that aims to protect and promote traditional regional and minority languages.

A language’s decline can be stopped and even reversed, as demonstrated in examples from many countries where younger generations are learning and using the languages traditionally spoken by their families and in their regions.

However, this is not the case for all European languages. Indeed, for some languages the number of speakers is continuously decreasing. If not reversed, this trend will inevitably lead to the extinction of languages in territories where they have been traditionally used for centuries and where they represent an integral part of regional and minority identities.

REGIONAL OR MINORITY LANGUAGES

The charter covers languages that are distinct from the language(s) spoken by the majority of the population. Migrant languages or dialects of the state language are not considered as regional or minority languages.

LEVELS OF PROTECTION

The charter has two levels of protection. Part II, which is general in nature, and Part III, which offers specific rules for putting Part II's principles into practice. States need to specify to which languages they will apply Part III, whereas Part II applies automatically to all regional or minority languages spoken in the country.

LANGUAGE USE IN EVERYDAY LIFE

The charter gives precise guidelines on how regional or minority languages should be protected and promoted in everyday life. States are requested to provide education, services such as press, radio, television or digital media, as well as public administration services in these languages.

FOCUS ON THE USE OF LANGUAGE

The speakers of regional or minority languages play a key role in maintaining their language by using it effectively in all spheres of public and private life. Only when used daily and actively can a language live and develop.

CONTRIBUTING TO PEACE AND MUTUAL UNDERSTANDING

The protection of regional or minority languages and the promotion of their use is not in conflict with the use of official languages in the states or the need to learn them. On the contrary, it adds to understanding among different groups in society.

Acknowledging the value of the languages and related cultures is the best, and often the only, way to integrate people with different linguistic and cultural backgrounds and to promote intercultural understanding between population groups.

A COMMON FRAMEWORK FOR EUROPEAN STATES

The charter is the only internationally binding instrument focused on the protection of minority languages. It benefits the states parties by offering a common and internationally recognised framework for their language policies.

The charter, alongside the Framework Convention for the Protection of National Minorities, demonstrates the Council of Europe's longstanding commitment to the protection of national minorities.



A PLATFORM FOR CO-OPERATION BETWEEN STATES AND NON-GOVERNMENTAL ORGANISATIONS

Language-friendly policies can only be developed in co-operation with speakers of the languages concerned. All parties benefit from this mutual co-operation. The successful implementation of the charter and therefore the adequate promotion and protection of regional and minority languages depend on close dialogue between authorities and civil society.

MONITORING – A VITAL STEP

Regular monitoring of how states apply the charter guarantees that this treaty remains a living and evolving instrument. Even in its earliest phases, the monitoring process often raises awareness among authorities of the potential or shortcomings of their language policies. It also contributes to constructive contacts between authorities and the speakers of the languages concerned. Contacts are also created between different language groups.

THE CHARTER'S IMPACT

Many improvements were made during the early stages of implementation of the charter. Other remaining issues have been resolved since. The charter is a pillar created to protect and promote all languages, allowing them to develop and strengthen the linguistic diversity of Europe.

The charter process

3 MAIN ACTORS ARE INVOLVED:

- ▶ the Council of Europe
- ▶ the state
- ▶ NGOs/representatives of the speakers



A CONSTRUCTIVE DIALOGUE

The charter is a treaty conceived by the Council of Europe and the monitoring of its implementation is carried out using a two-tier approach. In the first tier, the country itself reports on how the treaty is being implemented. The second tier is based on monitoring carried out by an independent committee of experts appointed by the Committee of Ministers of the Council of Europe.

The monitoring process involves all stakeholders: the Council of Europe, the national authorities and non-governmental organisations (NGOs)/representatives of the speakers of the languages concerned. This provides all parties with a forum for continuous dialogue and gives the speakers of the languages themselves a central position in the implementation process.

THE STATE

The state signs and ratifies the charter, and determines its own different undertakings.

Within the year following ratification, the state presents its first report on the policy pursued in accordance with Part II of the charter and on the measures taken in application of those provisions of Part III which the state has accepted. Following reports are presented at five-yearly intervals. Every 2 and a half years, a mid-term report containing information on the implementation of a limited number of recommendations for immediate action (RIAs) is also presented, since a reform which took place in 2018. The state usually prepares these reports in consultation with representatives of the speakers of the regional or minority languages. This practice is strongly recommended, as it increases mutual understanding and, in many cases, it contributes to finding solutions to relevant issues.

The state reports are published on the website of the charter.

The Council of Europe may organise seminars or meetings to assist the state in preparing for ratification of the charter. The state itself may also organise meetings in preparation of its reports and in the process of dissemination of these reports. Such seminars or meetings can also be arranged as part of information exchanges about the examination report by the Committee of Experts and the recommendations adopted by the Committee of Ministers of the Council of Europe.

NGOS/REPRESENTATIVES OF THE SPEAKERS

NGOs and other representatives of speakers of the languages concerned are invited, at any time, to inform the state and the Council of Europe (through the secretariat of the charter) of matters related to the implementation of the charter. They are also invited to actively take part in the preparation of the reports presented by the state.

In the monitoring process that follows the presentation of a state's report, NGOs and other representatives of speakers are consulted. They may also take initiatives in this process by actively informing the secretariat about issues relating to the implementation of the charter.

COMMITTEE OF EXPERTS

Regular monitoring of how states apply the charter is carried out by the Committee of Experts. It examines each report presented by a state and prepares an evaluation report for the Committee of Ministers of the Council of Europe.

Bodies or associations that are legally established in the state may draw the attention of the Committee of Experts to matters relating to the undertakings agreed by the state.



In preparation of the five-yearly evaluation reports, representatives of the committee usually visit the state to gather information from the administration responsible and from representatives of the speakers of the languages concerned (on-the-spot visits). This practice guarantees that the treaty remains a living and developing instrument.

COMMITTEE OF MINISTERS

The Committee of Ministers on the basis of the examination made by the Committee of Experts, makes recommendations to the states in each monitoring cycle. The recommendations by the Committee of Ministers are the most authoritative instrument of the treaty. States often react with alertness to the recommendations, which have an impact on their policies.

A TRANSPARENT PROCESS

The charter process is transparent. The state reports, the evaluation reports, the mid-term reports of the implementation of RIAs by the Committee of Experts and the recommendations of the Committee of Ministers are all available on the Council of Europe website and are accessible to everyone.

The charter in a nutshell



THE STRUCTURE OF THE CHARTER

PART I

The scope of the charter is defined in Part I.

PART II

The “spirit” of the charter is expressed in Part II. At its core is the recognition of regional or minority languages as an expression of cultural wealth. Provisions under Part II apply to all languages that have a traditional presence in the state.

PART III

The state explicitly designates the languages to be included under the more detailed provisions of Part III. For each language, the state undertakes to apply at least 35 of the 68 provisions.

PART IV

Monitoring, which is a central component in the charter process, and other matters of application, are defined in Part IV.

PART V

The entry into force of the charter, and matters concerning signature and ratification, are defined in Part V.



PART II

PRINCIPLES AND OBJECTIVES APPLICABLE TO ALL LANGUAGES

Part II of the charter concerns all regional or minority languages with a traditional presence in a state, irrespective of whether or not the state has selected the language for protection under the more detailed Part III.

The basic principles of Part II

- ▶ At the heart of the charter is the recognition of regional or minority languages as an **expression of cultural wealth** and the need for **resolute** action to promote these languages. Many states that have signed up to the charter now protect and promote languages that previously were not even recognised as part of their cultural and linguistic heritage.
- ▶ The charter also requires states to **respect the geographical area** of regional or minority languages. In practice, this principle comes into force, for example, if states plan to change administrative borders in ways that negatively affect regional or minority languages.
- ▶ A basic principle of the charter is that languages should not be confined only to the private sphere. The use of languages also has to be encouraged in **public life**. Based on this principle, state and local authorities have

developed new domains of language use in all sectors of public life, such as education, the administration, the judiciary, the media and economic life.

- ▶ **Education** at all levels is essential for the development of any language. The charter requires states to offer appropriate forms and means for the teaching and study of all its regional or minority languages. Thus, in many cases improvements have been made in providing education in a language or teaching the language as a subject, including those languages that are not protected under the more detailed Part III of the charter.
- ▶ The spirit of the charter seeks positive and constructive solutions for the development of languages. This calls for the **promotion of mutual understanding** between all linguistic groups of the country, whether they are speakers of majority languages, regional languages or minority languages. The inclusion of respect, understanding and tolerance in relation to languages is at the core of the charter. The charter also clearly requires states to prohibit all forms of unjustified distinction, exclusion, restriction or preference relating to the use of the language.
- ▶ The role of the **mass media** is crucial to the promotion of mutual understanding and respect for others and their cultures and languages. The charter requires states to encourage the mass media to pursue this objective.
- ▶ In many cases the speakers of regional or minority languages have a kin-state where the language is also spoken, often as a dominant language. The charter requires states to actively promote **exchanges across national borders**. This may concern many different types of exchanges, such as availability of media, cultural contacts or co-operation to develop a teaching programme for a language.

PART III

A CHOICE OF 68 MEASURES IN SEVEN AREAS OF PUBLIC LIFE

Part III of the charter includes 68 measures in support of the languages designated for protection under this part. For each language, at least 35 undertakings from at least six areas of public life must be applied. However, reflecting the spirit of the charter, the states have adopted a more than just minimal approach for most of the languages. The following are the practical results of this approach.

Education

- ▶ Speakers can send their children to a school that provides education entirely in their language, or at least teaches their language as a subject, at all relevant levels: from pre-school to university.
- ▶ The state is obliged to provide this education and to ensure that teachers are properly trained.

Courts

- ▶ Speakers can appear in court using their own language without extra costs for interpretation or translation.
- ▶ The state has to ensure that documents in the language are valid in court.

Dealing with administrative authorities

- ▶ Speakers can fill in forms and have correspondence with authorities in their own language, they can use their name and place names in their own language and their language is used on signs.
- ▶ The state must ensure it has the administrative competences to serve citizens in the language.

Media

- ▶ Speakers benefit from radio and television channels or regular programmes broadcast in their language, by public service or private broadcasters; they can read newspapers and online news and they also have access to audiovisual works in minority languages.
- ▶ The state is obliged to support broadcasting in minority languages as part of public service broadcasting, or to encourage private broadcasters to include these services, and to support other media productions in appropriate ways, for example on the internet.



Cultural activities

- ▶ Speakers have access to cultural activities, libraries and books published in their language; terminology in the language is developed
- ▶ The state undertakes to encourage and financially support cultural activities of different kinds and to ensure that representatives of the language are included in the planning of cultural activities.

Economic and social life

- ▶ Speakers can use their language when seeking social support and care, and the use of the language is encouraged in all sectors of economic life
- ▶ The state is obliged to eliminate all limitations of the use of the language in the workplace that are not clearly justifiable for practical reasons.

Exchanges across national borders

- ▶ Speakers have access to cross-border television and radio, joint cultural activities or other improvements from open borders with neighbouring countries where their language is used
- ▶ The state undertakes to support cross-border activities, if necessary, by forming agreements with neighbouring countries.

The charter can make a difference in everyday life

In many ways, the charter influences
the position of regional or minority
languages in everyday life.



THE SPEAKERS HAVE A CRUCIAL ROLE TO PLAY

It is important to understand the nature of the charter as a process in the protection and promotion of regional or minority languages. The role of the daily user of the languages that are protected under the charter is the most important one in this process. The future of a language depends on its daily use in private and public life, for example in choices regarding education, media use and cultural activities. It is dependent on a demonstrated preference to use the regional or minority language, wherever possible, in administration and in dealing with authorities. Without this daily contribution, other efforts will prove meaningless.

Here are just a few examples of how the charter has made a difference to people in their everyday lives:

- ▶ being able to learn and speak their language at school
- ▶ being able to fill in official forms in their language
- ▶ having street signs and place names in their language
- ▶ listening to radio, watching television or reading news in their language
- ▶ enjoying a rich culture in all its aspects, with literature, theatres, concerts, festivals and videos in their language and reflecting their culture



ON THE CHARTER WEBSITE YOU WILL FIND:

- ▶ the full text of the European Charter for Regional or Minority Languages and its explanatory report
- ▶ the list of states that have signed and ratified the charter
- ▶ the list of languages to which the charter applies
- ▶ all the periodical reports of the states, the evaluation reports by the Committee of Experts and the recommendations to the states by the Committee of Ministers of the Council of Europe
- ▶ links to further sources and literature on the charter
- ▶ outlines for the authorities on how to prepare periodical reports
- ▶ news and information about the application of the charter
- ▶ HUDOC-ECRML database
- ▶ a video on the impact of the charter

www.coe.int/minlang

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The European Charter for Regional or Minority Languages of the Council of Europe is the only treaty in the world which aims to protect and promote traditional regional and national minorities' languages. The Charter gives precise guidelines on how these languages should be used in everyday public life.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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