

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 19 November 2015

ECRML (2015) 5

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN LUXEMBOURG

Fourth report of the Committee of Experts on the Charter

adopted on 17 June 2015
and presented to the Committee of Ministers of the Council of Europe
at its 1239th meeting on 4 November 2015
in conformity with Article 16 of the Charter

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in States Parties with a view to, where necessary, making recommendations for improving their legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a Party is required to submit to the Secretary General. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned. The periodical report shall be made public by the State in accordance with Article 15, paragraph 2.

The Committee of Experts' role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee of Experts gathers information from the respective authorities and from independent sources within the State, in order to obtain a fair and just overview of the real language situation. After a preliminary examination of a periodical report, the Committee of Experts submits, if necessary, a number of questions to each Party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an on-the-spot visit by a delegation of the Committee of Experts to the State in question. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention. This information-gathering process is designed to enable the Committee of Experts to evaluate more effectively the application of the Charter in the State concerned.

Having concluded this process, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective State Party for possible comments within a given deadline. Subsequently, the evaluation report is submitted to the Committee of Ministers, together with suggestions for recommendations that, once adopted by the latter, will be addressed to the State Party. The full report also contains the comments which the authorities of the State Party may have made.

Chapter 1 Background information

1. The Grand Duchy of Luxembourg signed the European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) on 5 November 1992 and approved it by a law on 8 April 2005, which was published in the Official Journal on 25 April 2005 (A - Nr 55). Luxembourg ratified the Charter on 22 June 2005. The Charter entered into force in Luxembourg on 1 October 2005.
2. In accordance with Article 15.1 of the Charter, Luxembourg presented its fourth periodical report to the Secretary General of the Council of Europe on 3 February 2015. The report has been made public.
3. The present report was adopted by the Committee of Experts on 17 June 2015.

The work of the Committee of Experts

4. The Committee of Experts took note of the fourth periodical report of Luxembourg, which confirms the information provided in the initial report according to which there are no regional or minority languages used in Luxembourg. Nevertheless, the Luxembourg authorities affirm their continued support to the principles and objectives of the Charter. As the Charter is not applicable to any regional or minority language in Luxembourg, the Committee of Experts has not considered it necessary to organise an on-the-spot visit as it has done in relation to other States Parties.

Chapter 2 Findings of the Committee of Experts

- A. The Committee of Experts commends the authorities of Luxembourg for the commitment and European solidarity they have demonstrated by ratifying the Charter.
- B. The Committee of Experts has concluded that, in light of the situation whereby in Luxembourg no regional or minority languages are spoken on its territory, it will not propose to the Committee of Ministers to forward any recommendations to the Grand Duchy of Luxembourg.
- C. In accordance with Articles 16 paragraphs 3 and 4 of the Charter, the Committee of Experts asks the Committee of Ministers to take note of this report and to express to the government of Luxembourg its appreciation of the valuable contribution it has made to the protection and promotion of regional or minority languages in Europe by its ratification and active contribution to the promotion of the Charter. The Committee of Experts expresses its hope that other member States of the Council of Europe on whose territory no regional or minority languages are used will follow this example and ratify the Charter as an act of solidarity in the view of the objectives of the treaty.

Appendix

SECRETARIAT GENERAL

DIRECTORATE GENERAL I LEGAL AFFAIRS

Please quote : JJ6086C
Tr./148-44



Strasbourg, 28 July 2005

NOTIFICATION OF RATIFICATION

State : Luxembourg.

Represented by : Mr Ronald MAYER, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Luxembourg to the Council of Europe.

Instrument : European Charter for Regional or Minority Languages, opened for signature, in Strasbourg, on 5 November 1992 (ETS No. 148).

Date of entry into force of the instrument : 1 March 1998.

Date of ratification : 22 June 2005.

Date of entry into force in respect of Luxembourg: 1 October 2005.

Reservations : /
Declarations : /

Signatory States : Azerbaijan, Czech Republic, France, Iceland, Italy, Malta, Moldova, Poland, Romania, Russia, Serbia and Montenegro, "the former Yugoslav Republic of Macedonia", Ukraine.

Contracting States : Armenia, Austria, Croatia, Cyprus, Denmark, Finland, Germany, Hungary, Liechtenstein, Luxembourg, Netherlands, Norway, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom.

Notification made in accordance with Article 23 of the Charter.

Copy to all member States.

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