Excellencies, Ladies and Gentlemen,

Thank you very much for this opportunity to exchange views with you. It is a great honour and pleasure for me to be here with you today. I would like to start my presentation with some introductory remarks about the European Charter for Regional or Minority Languages (ECRML) and its Committee of Experts, and shall then focus on the Committee’s achievements and impact but also on some challenges ahead of us. Afterwards, I am of course at your disposal for any further questions you may have or any points you may wish to raise.

1. Introduction

The European Charter for Regional or Minority Languages (ECRML) is the only legally-binding international treaty worldwide which aims to protect and promote the use of traditional regional or minority languages. Next to the Framework Convention for the Protection of National Minorities it is actually the only multilateral treaty on national minority rights in force today. The Charter was opened for signature on 5 November 1992 and entered into force on 1 March 1998. To date, it has been ratified by 25 states.\(^1\)

Its main purpose is cultural – to protect regional and minority languages as part of the European cultural heritage. Many of the European traditional languages are threatened or even on the verge of extinction, some face hostility and intolerance, and some of them have never been recognized as languages deserving to be used in all public or private domains. The aim of the Charter is to reverse these negative trends and to allow the speakers of these languages to use their regional or minority languages freely and to their full potential, thus allowing them to continue contributing to the cultural wealth and diversity of a country.

The Charter covers almost all domains of public life, such as education, justice, administration, media, culture, economic and social affairs, as well as trans-frontier co-operation. It combines an antidiscrimination dimension with a positive action approach by offering States Parties a framework for specific promotional measures to the benefit of regional or minority languages and their speakers. Its so-called "menu system" allows states-parties to make tailor-made ratifications suitable for specific language situations in their countries.

The implementation of the treaty is monitored by an independent Committee of Experts, based on three-yearly reports submitted by States Parties, contributions from NGOs, and country visits. Timely national reports are, therefore, of fundamental importance for the functioning of the monitoring mechanism. The Committee’s findings serve as basis for country-specific Recommendations that you prepare for adoption by the Committee of Ministers. Capacity-building activities assist States Parties in the implementation of Charter provisions. Awareness-raising activities promote ratification of the Charter by those Council of Europe member states which have not yet done so.

2. Achievements

Already in 2014, we increased our rapid reaction capacity, by changing our Rules of Procedure, in order to be able to respond quicker to requests by the Committee of Ministers, member states, or the Secretary General of the Council of Europe in cases of urgencies or emergencies concerning the protection of regional or minority languages. This is in line with a recommendation included in the 2014 Secretary General Report on the State of Democracy, Human Rights and the Rule of Law.

\(^1\) Armenia, Austria, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, Denmark, Finland, Germany, Hungary, Liechtenstein, Luxembourg, Montenegro, the Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom.
We also stepped up our participation in transversal thematic activities together with other monitoring bodies, in particular the “kin-mechanisms” ECRI and the Framework Convention for the Protection of National Minorities, in order to provide synergies.

The Committee of Experts held its 50th meeting from 17 to 20 March 2015 in Strasbourg. I would like to take this opportunity to thank His Excellency, Ambassador PAPA, Chairman of the GR-J, for the address he gave at that solemn occasion on behalf of the Committee of Ministers. The Committee of Experts very much appreciated that mark of esteem.

The 50th meeting was an excellent opportunity to take stock and show the way forward. To date, about 80 languages enjoy protection under the Charter. Since the entry into force of the Charter, the Committee of Ministers has adopted about 80 Recommendations to States Parties and the Committee of Experts has adopted 88 Evaluation Reports. It has carried out about 80 on-the-spot visits, where there have been more than 470 meetings with national governmental bodies, about 620 meetings with local and regional authorities, about 850 meetings with NGOs representing speakers of regional or minority languages, and around 1.000 meetings with representatives from schools, courts, media, or service providers.

At the 50th meeting, the Committee of Experts, amongst other things, decided to add an Executive Summary to its Evaluation Reports in order to make them more user-friendly, and to appoint a Rapporteur on Gender Equality (GER) and a Rapporteur on Children in order to better take account of those transversal issues in our work, thus giving proof of our capacity to adapt our working methods according to changing needs.

3. Impact

What has been the impact on the ground of all this work? Please allow me to give you some very brief examples.

Armenia has produced more textbooks for the teaching of the Assyrian, Kurdish and Yezidi languages in schools.

Austria has amended its Broadcasting Act to include the provision of minority language programmes in the public service mandate of the ORF.

Bosnia and Herzegovina has responded to the decision made by the Parliamentary Assembly upon becoming Member State of the Council of Europe.

In Croatia, the Charter has enhanced minority language rights and has contributed to the adoption of the Act on Education in the Languages and Scripts of National Minorities.

Cyprus has recognised Cypriot Maronite Arabic as a regional or minority language under the Charter following a Committee of Ministers’ recommendation; a language revitalisation process has started and the language has been codified.

The Czech government has allocated funds to municipalities for the instalment of bilingual (Polish-Czech) signs in the Karviná and Frydek-Místek districts and Moravian Croatian has been recognized as a regional or minority language in terms of the Charter (Part II).

Denmark has adopted a number of special arrangements to ensure the protection of the German language after the municipal reform in Southern Jutland/North Schleswig, as recommended by the Committee of Ministers.

In Finland, the Sámi Language Act has been adopted, aiming to ensure the right of the Sámi to develop their language and culture and to use it in relations with judicial and administrative authorities. In the Upper Lapland Regional Office, language training has been offered to increase the number of Sámi-speaking officials needed to implement obligations under the Charter and the Sámi Language Act.
In **Germany**, the *Land* of Schleswig-Holstein has adopted a law for the promotion of North Frisian in public life. Lower Saxon’s 2011 decree “The Region and its Languages” provides for the possibility of regional or minority language education, leading, in most cases, to bilingual education. The Free State of Saxony has adopted an “Action Plan to Encourage and Revive the Use of the Sorbian Language”.

**Hungary** has amended the relevant legislation (Act on Criminal Procedure, the Act on Civil Procedure, and the Act on the General Rules of Official Procedure and Servicing in Public Administration), as recommended by the Committee of Ministers, to clarify that everyone may use, orally and in writing, his/her minority language in court proceedings, free of charge and regardless of the ability to use Hungarian. Furthermore, a public radio channel exclusively devoted to broadcasting in minority languages has been created (Radio MR4), including daily radio programmes in Beás and Romani.

In **Montenegro**, Albanian is co-official in relevant municipalities and is also effectively used by the local authorities concerned.

In the **Netherlands**, the ratification of the Charter marked the legal recognition of Limburgish, Low Saxon, Romani and Yiddish. The Dutch authorities have taken several steps to facilitate and encourage the use of Frisian before judicial authorities, including the organisation of courses in Frisian for new court employees and judges. A new decree on family names permits the use of Frisian names in official documents.

In **Norway**, the Inner Finnmark court has been established as the country’s only bilingual court, serving the Sámi language administrative area. Norway has modified the Health-Care Personnel Act and taken measures in the health and social sector within the Sámi administrative district to provide staff having a command of Sámi. Following a recommendation by the Committee of Ministers, Norway has recognised Kven as a language in its own right and subsequently set up the Kven Language Council.

In **Poland** the ratification of the Charter has significantly strengthened the legal position of Kashub.

**Romania** supports minority language education and supports the Jewish State Theatre in Bucharest, one of the few professional Yiddish theatres in Europe.

In **Serbia**, the high legal status granted to Romani under the Charter (Part III) has contributed to the improvement of the – largely negative – public image of this language.

The **Slovak Republic** has made significant undertakings under the Charter to promote the Bulgarian, Croatian and Polish languages. Complaints to the Public Defender of Rights can also be submitted in the minority languages covered by the Charter.

By ratifying the Charter, **Slovenia** has entered into the legal obligation to protect and promote the autochthonous Croatian, German and Serbian languages in public life, in addition to Italian and Hungarian.

In **Spain**, a number of languages have been recognized as minority languages outside their “proper” Autonomous Communities. The Parliament of Catalonia has granted Aranese the status of a co-official language in the whole territory of Catalonia.

In **Sweden**, the ratification of the Charter marked the first legal recognition of Yiddish. Furthermore, it led to the adoption of the Act on the Right to use Sámi in Administrative Authorities and Courts of Law and the Act on the Right to use Finnish and Meänkieli in Administrative Authorities and Courts of Law. The Language Act, adopted in 2009, established the responsibility of the public sector to protect and promote the languages of the national minorities and gives these minorities the opportunity to learn, develop and use their languages.

**Switzerland** has used the Charter to grant additional protection to Italian as its less widely used official language, and has recognized Yenish as the language of its Roma.

**Ukraine** has changed its Language Law reducing the high threshold for the use of regional or minority languages; Karaim and Krimchak have been identified as endangered languages.
In the United Kingdom, the ratification of the Charter marked the official recognition of Scots and Cornish as regional or minority languages. Following a recommendation by the Committee of Ministers, a broadcasting license has been issued to the Irish-language radio station Raidió Fáilte in Northern Ireland.

Finally, allow me to mention two States Parties – Luxembourg and Liechtenstein – that do not have any minority languages, but have ratified the Charter as an expression of European solidarity.

4. Challenges

I would say that today we are facing three main challenges: a) the accumulation of considerable reporting delays by some States Parties, b) delays in making public the Evaluation Reports of the Committee of Experts and c) the stagnation in ratifications by other Council of Europe member states,

a) Pursuant to Article 15 of the Charter, the reporting cycle is three years. However, some States Parties have accumulated such a considerable delay in submitting their periodical reports that they have already missed a complete cycle.

b) As for the second challenge, our Evaluation Report is only released by the Committee of Ministers together with its Recommendations. If the text of the draft CM Recommendation provokes disagreement, this may lead to a delay in the adoption of that CM Recommendation but also in the release of the Evaluation Report, which has been drawn up by independent experts and, in any case, is not to be modified by the Committee of Ministers.²

c) The third, and I would say the biggest challenge, however, is the fact that to date, only 25 Council of Europe member states have ratified the European Language Charter. Six states committed themselves to ratifying the Charter when acceding to the Council of Europe, but have not yet done so.³ Another four member states have signed but not yet ratified it.⁴ Out of the 39 Council of Europe member states that have ratified the Framework Convention for the Protection of National Minorities, 14 have not yet ratified the Charter. Out of the 28 EU member states, 11 have not yet ratified our European Language Charter. The Secretary General has repeatedly invited the member states to ratify the Charter, however, without much success. We need your political support to change this situation!

5. Closing

Ladies and gentlemen,

I would like to finish by drawing your attention to two important future events: 5 November 2017 will mark the 25th anniversary of the Charter’s opening for signature and 1 March 2018 will mark the 20th anniversary of the Charter’s entry into force. We have already started discussions on how to commemorate these two important events and we would be grateful if we could count on the support of the Committee of Ministers.

Furthermore, Mr. Chairman, in order to continue this dialogue, I would like to invite you to address our Committee at one of its forthcoming meetings.

Thank you very much for your attention.

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² A recent example: the Evaluation Report on Ukraine was adopted by the ECRML Committee of Experts in November 2012 but its release by the Committee of Ministers was delayed until January 2014, when the CM Recommendation was adopted.
⁴ France (1999), Iceland (1999), Italy (2000), and Malta (1992).