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Application of the European Charter for Regional or Minority Languages

Communication
by the Secretary General of the Council of Europe

**Biennial report by the Secretary General to the Parliamentary Assembly
September 2007**

Introduction

Under the terms of Article 16 paragraph 5 of the European Charter for Regional or Minority Languages (hereinafter referred to as “the Charter”), the Secretary General is required to present a two-yearly report to the Parliamentary Assembly on the application of the Charter. The Charter entered into force in March 1998. The first report of the Secretary General of this nature was presented to the Parliamentary Assembly in 2000 (Doc. 8879 of 18 October 2000), the second report in 2002 (Doc. 9540 of 11 September 2002) and the third in 2005 (Doc. 10659 of 3 September 2005). This fourth report covers the years 2005-2007 and addresses the main critical issues which arise from the functioning of the Charter system.

The monitoring mechanism

The experience over the last two years confirms that the monitoring mechanism set up by the Charter continues to function well. In spite of the difficulties connected with the late submission of some periodical reports and the staff shortage in the Secretariat, the Committee of Experts of the Charter has managed to maintain a regular rhythm of work.

So far, it has adopted thirty-five evaluation reports (compared to twenty reports two years ago). For five countries – Armenia, Austria, Cyprus, Slovakia and Spain – only the first evaluation report has been adopted so far. In six other cases, namely Denmark, Germany, the Netherlands, Slovenia, Sweden and the United Kingdom, a further monitoring round has been completed, resulting in the adoption of a second evaluation report. A third monitoring round has been completed for a further six States, Croatia, Finland, Hungary, Liechtenstein, Norway and Switzerland. The reports which have already been considered by the Committee of Ministers have been made public and are available online¹ or in paper form from the Charter Secretariat.

With the sole exception of Liechtenstein, in all the cases where the Committee of Ministers has taken note of an evaluation report it has subsequently addressed Recommendations to the government concerned. Those Recommendations adopted since the last report to the Assembly are reproduced in Appendix II to the

¹ www.coe.int/minlang.

present report. It is noteworthy that the Committee of Ministers has closely followed the proposals of the Committee of Experts and has thus considerably contributed to strengthening the monitoring mechanism.

The Committee of Experts is presently dealing with the second monitoring cycle concerning Spain, and with the third monitoring cycle regarding Germany. In 2007, it is also expected to start the second monitoring cycles in respect of Armenia and Austria, the third monitoring cycles with regard to the Netherlands and Sweden, and the first monitoring cycles concerning Montenegro and Serbia.

A European frame of reference on the eve of its 10th Anniversary

The European Charter for Regional or Minority Languages was conceived to protect and promote the historical regional or minority languages of Europe, "some of which are in danger of eventual extinction" (preamble). Given the very nature of language dynamics, the achievement of this vision will obviously take many years, or even generations.

However, almost ten years after the entry into force of the Charter on 1 March 1998, and almost 30 years after the adoption of the Council of Europe's Bordeaux Declaration calling on States to protect minority languages, an ever-increasing international recognition of the Charter can be noticed. The interest that other international organisations take in the Charter underlines its importance as the only binding legal instrument worldwide specifically devoted to the safeguarding of regional or minority languages and thus as a key convention of the Council of Europe.

The institutions of the European Union continue to make reference to the Charter in the context of their work on multilingualism. In particular, the European Parliament recognised the Charter as the "key Europe-wide legal frame of reference applying in this sphere" in a resolution adopted in 2003. More recently in November 2006, it called on the European institutions and bodies "to cooperate closely with the Council of Europe in the promotion and protection of linguistic diversity and language learning, and to build on its experience in the area of language policy (such as the European Language Portfolio or the European Charter for Regional and Minority Languages)".

The Charter's conception that the recognition of cultural and linguistic diversity will ultimately reduce tensions arising from minority issues explains why it is also perceived as an essential contribution to the maintenance of peace and stability. For example, the 2001 Constitutional Framework for Provisional Self-Government of Kosovo provides that the "Provisional Institutions of Self-Government shall observe and ensure internationally recognized human rights and fundamental freedoms, including those rights and freedoms set forth in ... the European Charter for Regional or Minority Languages" (paragraph 3.2g).

By the same token, the Organization for Security and Co-operation in Europe has recently shown an increased interest in the Charter, which led to joint activities in the context of the enhanced co-operation of the Council of Europe and the OSCE in the field of national minorities.

In particular, the OSCE High Commissioner on National Minorities and the Charter Secretariat organised in 2006 an information seminar on technical aspects relating to the ratification of the Charter. The seminar aimed to assist seven States that committed themselves to ratifying the Charter when they joined the Council of Europe but have not yet done so. It was the first time that ratification advice was provided to more than one country at the same time, and that the Charter Secretariat and the High Commissioner jointly organised such an event.

Both organisations also co-operated in the field and organised six seminars in 2006 to raise awareness of the Charter among the authorities of Serbia and Montenegro as well as bodies and associations representing the speakers of various regional or minority languages in Serbia.

Finally, the OSCE and the Council of Europe published in 2007 a compilation of minority standards in Europe of which a substantial part is devoted to the Charter.

Contacts have also been established with UNESCO, which considers the Charter as a frame of reference for the possible drafting of an international convention on indigenous and endangered languages.

Stagnating number of ratifications

Regrettably, the increased international recognition of the Charter is not reflected by the number of ratifications. At present, the Charter has been ratified by 22 member States of the Council of Europe and signed by a further 11 member States. The list of signatures and ratifications is attached in Appendix I.

With the sole exception of Bosnia and Herzegovina, which signed the Charter in September 2005, the rhythm of signatures has almost completely come to a standstill.

As far as ratifications are concerned, member States did not make up much leeway either. Ukraine ratified the Charter in September 2005, Serbia and Montenegro followed in February 2006. In November 2006, the Czech Republic was the last State to have ratified during the period under review.

While acknowledging the importance of these ratifications for the various regional or minority languages used in the States concerned, it remains disappointing that the majority of the member States of the Council of Europe have not yet become Parties to the Charter.

This regret has been expressed in all previous Biennial Reports and concerns in particular those States which are under an explicit obligation to the Council of Europe to accede to the Charter. However, the delay in ratification amounts to 11 years in the cases of “the former Yugoslav Republic of Macedonia” and Moldova, almost 10 years for Russia, 7 years for Georgia, almost 6 years for Azerbaijan and 3 years for Bosnia and Herzegovina.² Some countries have no timetable for ratification, others, namely Albania and Georgia, have not even signed it.

The cultural approach

The Charter's departure from the traditional approach of protecting ethnic groups, preferring instead to emphasize the protection and promotion of their languages, was aimed also at those States that claim to have no national minorities. Nonetheless, more States have ratified the Framework Convention for the Protection of National Minorities. Albania, Bulgaria, Georgia and Lithuania in particular have acceded to it but have not even signed the Charter. Greece has also signed the Framework Convention. Furthermore, in the large majority of States Parties to the Charter the latter entered into force after the Framework Convention, and in some cases (e.g. in the Czech Republic) several years elapsed between both events.

At first sight, this gives the impression that States are more reluctant to protect and promote regional or minority languages than to recognise national minorities. However, the following aspects also need to be taken into consideration:

- The Framework Convention covers all aspects that are relevant to national minorities, which gives it a higher visibility in member States. This may also lead to the erroneous impression that the Charter merely supplements the Framework Convention and that its substance can be indirectly covered through a ratification of the Framework Convention.
- The Charter lays down much more detailed and technical obligations than the Framework Convention. The non-fulfilment of undertakings under the Charter becomes more easily apparent, which makes it a demanding instrument.
- Rather than creating rights for members of national minorities, the Charter obliges the State to take positive action. It is therefore primarily the State that assumes responsibility.
- The Charter's emphasis on practical improvements rather than on a formal application makes it particularly challenging to implement it thoroughly.
- The Charter's three-yearly monitoring cycle implies that States Parties have very little time to implement the recommendations of the Committee of Ministers and the Committee of Experts.
- Part II of the Charter automatically applies to all languages corresponding to the definition of a regional or minority language contained in the Charter. Therefore, it also covers small languages whose few speakers might not be the centre of attention of the Framework Convention.

In the light of these considerations, the occasional scepticism about the effectiveness of the cultural approach underpinning the Charter is not justified. By contrast, it appears that the Charter's strengths, notably the concentration on positive and tailored action in respect of all regional or minority languages used in a country, contribute to the slow pace of ratification.

² The deadlines were: 9/11/1996 (“the former Yugoslav Republic of Macedonia”), 13/07/1996 (Moldova), 28/2/1998 (Russia), 27/4/2000 (Georgia), 25/1/2002 (Azerbaijan) and 24/4/2004 (Bosnia and Herzegovina).

Europe's declining linguistic diversity

As Europe's linguistic diversity is regressing everywhere, I can only reiterate the observation made in my previous report that the "failure to ratify the Charter hitherto cannot at all be explained or justified by the fact that [the member States concerned] do not need it; quite the contrary." For many European languages, one can note a continuous decline in the number of speakers. If not reversed, this trend will inevitably lead to the extinction of languages in regions where they have been traditionally used for centuries and where they represent an integral part of regional identity.

Whereas some States, for example Switzerland or Finland, have a long tradition of protecting and promoting regional or minority languages in public life, others lack awareness of the need for a language policy and confine the use of these languages to the private sphere. The Committee of Experts' experience shows that a language which remains absent from public life will become stunted and ultimately die out. The Charter creates a link between private and public use of regional or minority languages, as the following examples show.

First of all, regional or minority languages need to be taught in school in order to ensure their transmission as living languages and to allow children to have a sufficient command of them. The Charter not only guarantees the provision of such teaching but also requires that appropriate forms and means, for example teacher training and teaching materials, are made available. Taking account of the crucial role the Charter plays in minority language education, the Congress recommended in May 2007 that all member States of the Council of Europe should ratify the Charter.³

The media represent another important field where an active language policy is needed. In modern societies, the presence of regional or minority languages in the media is as crucial as their use within families or at school. However, the weakness of these languages makes it difficult for them to gain access to the media. Once again, the Charter provides a framework for systematic State action that goes beyond mere prohibition of discrimination or ad-hoc initiatives, which would be insufficient to safeguard an endangered language.

The Charter's Impact on National Policies, Legislation and Practice

The results of the monitoring process prove that in many States the mere existence of the Charter and its implementation lead to an increased awareness of regional or minority languages. One decade after its entry into force, many improvements can undoubtedly be traced back to the Charter system.

An immediate impact of the Charter was that its ratification paved the way for the official recognition of several regional or minority languages, for example in the *Netherlands* and in the *United Kingdom*. As a significant political gesture, some States Parties undertook to apply particularly demanding provisions of the Charter to languages which are in a weakened situation and with respect to which the application of these provisions is ambitious (e.g. *Slovakia* concerning Bulgarian, Croatian, Czech and Polish). Some States Parties like *Germany* show a dynamic approach to their instrument of ratification and extend its scope when the situation of a language has improved.

The present language policy of *Sweden* is mainly a result of the Charter. Further to its ratification, Sweden adopted in 1999 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.

Similarly, the *Land* of Schleswig-Holstein in *Germany* adopted a new law for the promotion of North Frisian in public life and considered that this law was necessary to fill legislative gaps existing after the ratification of the Charter. The 2004 Frisian Law contains provisions concerning, *inter alia*, the use of North Frisian in relations with administrative authorities and the employment of Frisian-speaking civil servants. The German authorities reported in 2007 that North Frisian is now used in relations with administrative authorities.

Finland's 2004 Sámi Language Act aims to ensure the right of the users of Sámi to develop their language and to use it in relations with judicial and administrative authorities. As a consequence, the Finnish authorities have adopted measures to improve the language skills of personnel.

Furthermore, it is noteworthy that the representatives of the speakers of Yiddish in Finland started the teaching of their language as a direct result of the on-the-spot visit of the Committee of Experts in 1999.

³ Report "The Development of Minimum Standards for Language Education in Regional and Minority Languages", CPR(14)3REP.

Over the past few years, the interest in Yiddish has significantly increased in Finland and the authorities have supported several activities.

In 2001, *Austria* amended its Broadcasting Act and included the provision of regional or minority language programmes in the public service mandate of the ORF. According to representatives of the speakers of the regional or minority languages, the amendment was directly linked to the ratification of the Charter by Austria.

The *Croatian* authorities stated that the long process of adoption of the 2000 Act on the Use of the Languages and Scripts of National Minorities was speeded up by the application of the Charter.

According to the German-speakers in *Denmark*, the Committee of Ministers' 2004 recommendation that the Danish authorities should take account of the protection of German in the context of the reform of administrative structures in North Schleswig has contributed to the adoption of a number of special arrangements which aim to secure the special interests of the German minority. In this context, the authorities also ensured that financial grants from local authorities were maintained and that further grants were provided for news broadcasts in German.

In *Norway*, Sámi was seldom used in courts, partly due to a lack of legal terminology and interpreters. The Committee of Ministers thus recommended in 2001 to "create conditions that will facilitate the use of North Sami before judicial authorities". This recommendation led to the setting up of Norway's first bilingual court, where Sámi is now being used in 25% of the cases.

It was confirmed by Irish-speakers in *Northern Ireland* that the Committee of Ministers' 2004 recommendation to "facilitate the broadcasting of private radio in Irish" had led to the allocation of a five-year licence to a private radio station.

Hungary was encouraged by the Committee of Experts in 2001 to modify three laws so as to remove any uncertainty as to the possibility to use a regional or minority language before judicial and administrative authorities. Further to this recommendation, the Hungarian authorities amended the legislation in question by clarifying that everyone may use her/his regional or minority language both orally and in writing, that interpreters must be employed if the person wishes to use his/her language and that translation and interpretation costs must be borne by the State.

The Committee of Experts encouraged the *Dutch* authorities in 2001 "to take the necessary measures to permit the use of family names in Frisian in official documents." In 2003, a new decree entered into force, permitting the adoption and use of Frisian family names. The Committee of Experts also recommended that measures be taken to remedy the lack of Frisian-speaking staff in courts. As a result, the Dutch authorities introduced compulsory language courses for new court employees.

These examples highlight that the Charter has improved the situation of regional or minority languages in almost all States Parties, in several cases already during the first monitoring cycle. In addition, there are good grounds for supposing that a number of other improvements in national arrangements can at least in part be attributed to the influence of the Charter's monitoring mechanism.

Persisting problems

Despite this impressive track record, it should not be overlooked that a number of structural problems continue to hamper the Charter's effectiveness. Some of them concern fundamental aspects of the application of the Charter such as the Committee of Experts' continuing disagreement with some States Parties about what languages are covered by the Charter. One of the main features of the Charter is its automatic application to all languages traditionally used in a State and corresponding to the definition of regional or minority languages in Article 1.a of the Charter, irrespective of whether they already have a constitutional or any other legal status in that State.

Other States still have to improve and complete the legislative framework in the light of the obligations entered into and adopt specific legal provisions. The ratification of the Charter implies that States Parties bring their "policies, legislation and practice" (Article 7.1) into conformity with the Charter. In the past, several instruments of ratification have regrettably limited themselves to reflecting the domestic legislation already in place. It is, however, extremely unlikely that laws pertaining to minorities in general will automatically implement the Charter. Giving effect to the Charter requires countries to legislate in the light of their undertakings and, more importantly, to implement such laws in practice.

More specific problems exist with regard to education and the media. First of all, the inadequate provision of language teaching, in particular the shortage of adequately trained teachers at all levels of education, remains one of the principal problems affecting most regional or minority languages. The situation is worsened by the frequent lack of adequate mechanisms of supervision. Only few States have set up a body in charge of monitoring the measures taken and progress achieved.

Misunderstandings persist regarding the encouragement and/or facilitation of the broadcasting of regional or minority language programmes in the *private* sector. Many State authorities consider private broadcasts as merely complementary to the public service provision and do not take positive measures to increase the (marginal) presence of regional or minority languages in private broadcasting. On the contrary, the Committee of Experts has always stressed that, for the safeguarding of regional or minority languages, private broadcast media play a crucial role in their own right, which goes beyond merely complementing the public service broadcasting.

Some such problems have become fully manifest only after clarification of the facts and of the position of the Committee of Experts in the course of the first and second monitoring rounds. In these cases, the moment of truth as to the willingness of States Parties to take remedial action appears to be approaching.

The parliamentary dimension

Each regional or minority language reflects a unique world-view and thus represents an essential part of the European cultural heritage; yet many of them are in danger of extinction. The Parliamentary Assembly very early recognised that in many cases the Charter offers the sole hope of survival of the fragile heritage which regional or minority languages constitute. From the mid-nineties onwards, it systematically required new member States to commit themselves to accede to the Charter. In its report on the "Progress of the Assembly's monitoring procedure" adopted in April 2007, the Assembly also urged Greece, Ireland, Latvia and Lithuania to sign and ratify, and Iceland, Italy and Malta to ratify, the Charter.⁴

Notwithstanding the Assembly's clear position in this respect, a narrow majority of the member States of the Council of Europe have not yet become Parties to this convention. In particular, Albania, Azerbaijan, Bosnia and Herzegovina, Georgia, "the former Yugoslav Republic of Macedonia", Moldova and the Russian Federation have not yet complied with their obligation to do so. A special responsibility is placed on the national parliaments concerned to urge their governments to make all the necessary efforts so that the ratification process can be completed without further delay.

In doing so, the parliaments would also take account of the fact that practically all official languages of non-States Parties to the Charter are regional or minority languages in one or several other States, for example Albanian in Italy, Bosnian in Serbia, Bulgarian in Hungary, French in Italy, Georgian in Armenia, Greek in Hungary, Irish in the United Kingdom, Italian in Switzerland, Lithuanian in Poland, Macedonian in Greece, Polish in the Czech Republic, Portuguese in Spain, Romanian in Hungary, Russian in Armenia and Turkish in Bulgaria.

The good functioning of the Charter system Europe-wide is therefore in the national interest of all States.

⁴ Doc. 11214.

Appendix I List of signatures and ratifications



European Charter for Regional or Minority Languages

CETS No.: 148

Treaty open for signature by the member States and for accession by non-member States

Opening for signature

Place: Strasbourg
Date : 5/11/1992

Entry into force

Conditions: 5 Ratifications.
Date : 1/3/1998

Status as of: 19/10/2007

Member States of the Council of Europe

States	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Albania										
Andorra										
Armenia	11/5/2001	25/1/2002	1/5/2002			X				
Austria	5/11/1992	28/6/2001	1/10/2001			X				
Azerbaijan	21/12/2001					X				
Belgium										
Bosnia and Herzegovina	7/9/2005									
Bulgaria										
Croatia	5/11/1997	5/11/1997	1/3/1998		X	X				
Cyprus	12/11/1992	26/8/2002	1/12/2002			X				
Czech Republic	9/11/2000	15/11/2006	1/3/2007			X				
Denmark	5/11/1992	8/9/2000	1/1/2001			X			X	
Estonia										
Finland	5/11/1992	9/11/1994	1/3/1998			X				
France	7/5/1999					X				
Georgia										
Germany	5/11/1992	16/9/1998	1/1/1999			X				
Greece										
Hungary	5/11/1992	26/4/1995	1/3/1998			X				
Iceland	7/5/1999									
Ireland										
Italy	27/6/2000									
Latvia										
Liechtenstein	5/11/1992	18/11/1997	1/3/1998			X				
Lithuania										
Luxembourg	5/11/1992	22/6/2005	1/10/2005							
Malta	5/11/1992									
Moldova	11/7/2002									
Monaco										
Montenegro	22/3/2005	15/2/2006	6/6/2006	56						
Netherlands	5/11/1992	2/5/1996	1/3/1998			X		X		
Norway	5/11/1992	10/11/1993	1/3/1998			X				

Poland	12/5/2003										
Portugal											
Romania	17/7/1995										
Russia	10/5/2001										
San Marino											
Serbia	22/3/2005	15/2/2006	1/6/2006	56	X	X					
Slovakia	20/2/2001	5/9/2001	1/1/2002			X					
Slovenia	3/7/1997	4/10/2000	1/1/2001			X					
Spain	5/11/1992	9/4/2001	1/8/2001			X					
Sweden	9/2/2000	9/2/2000	1/6/2000			X					
Switzerland	8/10/1993	23/12/1997	1/4/1998			X					
"the former Yugoslav Republic of Macedonia "	25/7/1996										
Turkey											
Ukraine	2/5/1996	19/9/2005	1/1/2006			X					
United Kingdom	2/3/2000	27/3/2001	1/7/2001			X		X			

Non-member States of the Council of Europe

States	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
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Total number of signatures not followed by ratifications:	11
Total number of ratifications/accessions:	22

Notes: (56) Dates of signature and ratification by the state union of Serbia and Montenegro.

a: Accession - s: Signature without reservation as to ratification - su: Succession - r: Signature "ad referendum".

R.: Reservations - D.: Declarations - A.: Authorities - T.: Territorial Application - C.: Communication - O.: Objection.

Source : Treaty Office on <http://conventions.coe.int>

Appendix II : Recommendations of the Committee of Ministers

Recommendation RecChL(2005) 2 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Croatia

*(Adopted by the Committee of Ministers on 7 September 2005
at the 936th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Croatia on 5 November 1997;

Having taken note of the second evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Croatia;

Having taken note of the comments made by the Croatian authorities on the contents of the second report of the Committee of Experts;

Bearing in mind that this evaluation is based on information submitted by Croatia in its second periodical report, supplementary information given by the Croatian authorities, information submitted by bodies and associations legally established in Croatia and the information obtained by the Committee of Experts during its "on-the-spot" visit,

Recommends that the authorities of Croatia take account of all the observations of the Committee of Experts and, as a matter of priority:

1. in the light of the situation in the field and of the observations made by the Committee of Experts in its report, specify, in the third State periodical report, the municipal territories which are concerned by the application of Part III of the Charter and review the declaration appended to the instrument of ratification;
2. promote awareness and tolerance vis-à-vis the regional or minority languages and the culture they represent as an integral part of the cultural heritage of Croatia, both in the general curriculum at all stages of education and in the media;
3. offer pre-school education in the Ruthenian and Ukrainian languages and, regarding primary and secondary education, at least the teaching of Ruthenian, Slovak and Ukrainian within regular school hours in the territories in which such languages are used;
4. develop a coherent strategy in the field of teacher training and provide adequate teaching materials for minority language education;
5. take the necessary measures to ensure that the legal possibility for the speakers to use their regional or minority languages in relations with the relevant branches of the State administration is fully implemented in practice;
6. take immediate action to implement the use of bilingual place-names in all relevant cases;
7. grant the speakers a language-specific and more significant presence on public television and develop a presence on the regional radio stations also for those languages that do not yet benefit from it;
8. clarify the nature of the traditional presence of the Slovenian language in Croatia in co-operation with the speakers.

**Recommendation RecChL(2005) 3 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by Spain**

*(Adopted by the Committee of Ministers on 21 September 2005
at the 938th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the declarations submitted by Spain on 9 April 2001;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Spain;

Having taken note of the comments made by the Spanish authorities on the contents of the Committee of Experts' report;

Bearing in mind that this evaluation is based on information submitted by Spain in its national report, supplementary information provided by the Spanish authorities, information submitted by bodies and associations legally established in Spain and information obtained by the Committee of Experts during its "on-the-spot" visit;

Recommends that the authorities of Spain take account of all the observations of the Committee of Experts and, as a matter of priority:

1. take the necessary legal and practical measures needed to ensure the implementation of the undertakings under article 9 of the Charter, in particular by ensuring that an adequate proportion of the judicial staff posted in the autonomous communities concerned by the application of Article 9 of the Charter has a working knowledge of the relevant languages;
2. review the recruitment, career and training schemes for the staff of the State administration offices with a view to ensuring that an adequate proportion of the staff in this field posted in the autonomous communities concerned by the application of Article 10 of the Charter has a working knowledge of the relevant languages;
3. strengthen the offer of education in Basque in the Basque Country, in particular with regard to secondary education and technical and vocational education;
4. adopt a structured approach, with a view to strengthening the use of Basque in the private electronic media in the Basque Country and in broadcasting in general in Navarra;
5. consider the possibility of applying an appropriate form of Part III protection to the Basque language within the "mixed zone" as defined by the legislation of Navarra;
6. strengthen the protection of Aragonese ("Fabra") and Catalan in Aragon, including establishing an appropriate legal framework.

**Recommendation RecChL(2006) 1 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by Germany**

*(Adopted by the Committee of Ministers on 1 March 2006
at the 957th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Germany on 16 September 1998;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Germany;

Bearing in mind that this evaluation is based on information submitted by Germany in its second periodical report, supplementary information given by the German authorities, information submitted by bodies and associations legally established in Germany and the information obtained by the Committee of Experts during its "on-the-spot" visit,

Having taken note of the comments made by the German authorities on the contents of the Committee of Experts' report;

Recommends that the German authorities take account of all the observations of the Committee of Experts and, as a matter of priority:

1. adopt specific legal provisions, where these are still lacking, in order to ensure the practical implementation of the undertakings which Germany has entered into under the Charter;
2. take action to improve provision and allocate adequate resources for regional or minority language teaching and in particular:
 - ensure that the current schools rationalisation programme in Saxony does not jeopardise the provision of education in Upper Sorbian;
 - remedy the existing shortage of Lower-Sorbian-speaking teachers;
 - develop and implement the educational model for North Frisian proposed by the North Frisian speakers;
 - adopt measures to improve teaching in and of Sater Frisian as a matter of urgency and ensure continuity in educational provision in this language;
 - increase the number of hours devoted to, and provide clear guidelines for, Low German teaching in the *Länder* concerned;
 - adopt a structured policy with respect to Romany in the field of education, in co-operation with the speakers;
3. reverse the decline in study and research opportunities for Low German, Sater Frisian and Lower Sorbian and improve facilities for teacher training;
4. ensure that an effective monitoring mechanism exists in the field of education for all regional or minority languages covered under Part III;
5. take resolute action to establish a structured policy for making it practically possible to use regional or minority languages in dealings with the administration and, where relevant, in the courts;
6. create incentives to increase the provision for regional or minority languages in private broadcasting.

**Recommendation RecChL(2006)2 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by Armenia**

*(Adopted by the Committee of Ministers on 14 June 2006
at the 967th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the declarations submitted by Armenia on 25 January 2002;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Armenia;

Having taken note of the comments made by the Armenian authorities on the contents of the Committee of Experts' report;

Bearing in mind that this evaluation is based on information submitted by Armenia in its national report, supplementary information provided by the Armenian authorities, information submitted by bodies and associations legally established in Armenia and information obtained by the Committee of Experts during its "on-the-spot" visit;

Recommends that the authorities of Armenia take account of all the observations of the Committee of Experts and, as a matter of priority:

1. improve the offer of Assyrian, Yezidi and Kurdish language education at all levels, in particular by ensuring adequate teacher training and up-dating teaching materials;
2. improve the legal basis ensuring the use of regional or minority languages before courts;
3. take measures to improve the presence of Assyrian and Greek on radio, and of Assyrian, Greek, Yezidi and Kurdish on television;
4. clarify whether there are regional or minority languages used in Armenia other than those mentioned in Armenia's instrument of ratification.

**Recommendation RecChL(2006)3 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by Cyprus**

*(Adopted by the Committee of Ministers on 27 September 2006
at the 974th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the declarations submitted by Cyprus on 4 August 2005;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Cyprus;

Bearing in mind that this evaluation is based on information submitted by Cyprus in its national report, supplementary information provided by the Cypriot authorities, information submitted by bodies and associations legally established in Cyprus and information obtained by the Committee of Experts during its "on-the-spot" visit;

Recommends that the authorities of Cyprus take account of all the observations of the Committee of Experts and, as a matter of priority:

1. apply Part II protection to Cypriot Maronite Arabic as a regional or minority language in Cyprus within the meaning of the Charter and strengthen in particular the teaching of Cypriot Maronite Arabic at primary school level;
2. take measures to ensure that teaching in and of Armenian at secondary level remains available;
3. adopt a structured policy for the protection and promotion of the Armenian and Cypriot Maronite Arabic languages.

**Recommendation RecChL(2006)4 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by Sweden**

*(Adopted by the Committee of Ministers on 27 September 2006
at the 974th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Sweden on 9 February 2000;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Sweden;

Bearing in mind that this evaluation is based on information submitted by Sweden in its second periodical report, supplementary information given by the Swedish authorities, information submitted by bodies and associations legally established in Sweden and the information obtained by the Committee of Experts during its on-the-spot visit,

Having taken note of the comments made by the Swedish authorities on the contents of the Committee of Experts' report;

Recommends that the Swedish authorities take account of all the observations of the Committee of Experts and, as a matter of priority:

1. implement the proposals of the Government Commission for the Finnish and South Sami Languages, in respect of extending the administrative areas for Finnish and Sami, as well as adopting specific legislation on regional or minority languages and establishing a national agency responsible for supervising its implementation;
2. take practical measures to strengthen access to education in regional or minority languages by tackling the existing structural and resourcing problems, and in particular, develop strategies to increase the availability of teachers and provide secondary education in regional or minority languages;
3. adapt the existing models for education in regional or minority languages to Sweden's undertakings under the Charter, including improving the quality and availability of "mother-tongue" education and making appropriate provision for bilingual education;
4. adopt, as a matter of urgency, flexible and innovative measures to maintain the South Sami language;
5. establish a structured policy and take organisational measures to encourage the oral and written use of Sami, Finnish and Meänkieli in dealings with judicial and administrative authorities in the defined administrative areas;
6. encourage and/or facilitate the creation and/or maintenance of at least one newspaper in Sami and Meänkieli;
7. take steps to increase awareness and understanding concerning regional or minority languages in Swedish society at large.

**Recommendation RecChL(2007)1 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by Slovakia**

*(Adopted by the Committee of Ministers on 21 February 2007
at the 988th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the declarations submitted by Slovakia on 9 April 2001;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Slovakia;

Having taken note of the comments made by the Slovak authorities on the contents of the Committee of Experts' report;

Bearing in mind that this evaluation is based on information submitted by Slovakia in its national report, supplementary information provided by the Slovak authorities, information submitted by bodies and associations legally established in Slovakia and information obtained by the Committee of Experts during its "on-the-spot" visit;

Recommends that the authorities of Slovakia take account of all the observations of the Committee of Experts and, as a matter of priority:

1. improve and complete the legislative framework in the light of the obligations entered into by Slovakia upon its ratification of the Charter, and in particular:
 - review the requirement that regional or minority language speakers should represent at least 20% of the municipal population for the undertakings in the field of administration to be operational;
 - review the restrictions on the use of regional or minority languages arising as a consequence of the State Language Act;
 - remove the restrictions on the right to use regional or minority languages in court;
 - guarantee women the right to adopt or use family names in regional or minority languages;
2. improve the provision of regional or minority language education, in particular concerning teacher-training, and set up a body in charge of monitoring the measures taken and progress achieved;
3. improve the provision of broadcast and print media in all regional or minority languages;
4. promote awareness and tolerance vis-à-vis the regional or minority languages and the cultures they represent as an integral part of the cultural heritage of Slovakia, both in the general curriculum at all stages of education and in the media;
5. concerning the Romany language:
 - ensure that Romany language education is provided where there is a demand for it and inform Roma parents about its availability;
 - accelerate the implementation of a curriculum for the Romany language;
 - abolish without delay the practice of unjustified enrolment of Roma children in schools for children with special needs;
6. take measures to provide Ruthenian language education at all levels.

**Recommendation RecChL(2007)2 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by the United
Kingdom**

*(Adopted by the Committee of Ministers on 14 March 2007
at the 989th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the declarations submitted by the United Kingdom on 27 March 2001, 11 March 2003 and 22 April 2003;

Having taken note of the evaluation made by the Committee of Experts of the Charter with respect to the application of the Charter by the United Kingdom;

Bearing in mind that this evaluation is based on information submitted by the United Kingdom in its second periodical report, supplementary information given by the United Kingdom authorities, information submitted by bodies and associations legally established in the United Kingdom and the information obtained by the Committee of Experts during its on-the-spot visit;

Having taken note of the comments made by the United Kingdom authorities on the contents of the Committee of Experts' report;

Recommends that the authorities of the United Kingdom take account of all the observations of the Committee of Experts and, as a matter of priority:

1. elaborate and implement a comprehensive Scottish Gaelic language education policy;
2. develop a comprehensive Irish language policy, including measures to meet the increasing demand for Irish-medium education;
3. develop further Welsh-medium education, in particular, take steps to improve linguistic continuity in the transition from primary to secondary level in Welsh-speaking areas, and establish a co-ordinated approach to monitoring progress achieved in developing Welsh-medium education;
4. increase support for the printed media in Scottish Gaelic and Irish;
5. take further measures to ensure that health and social care facilities offer services in Welsh;
6. strengthen the efforts to improve the position of Scots and Ulster Scots.

**Recommendation RecChL(2007)3 of the Committee of Ministers
on the application of the European Charter for Regional or Minority Languages by Norway**

*(Adopted by the Committee of Ministers on 16 May 2007
at the 995th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted by Norway on 10 November 1993;

Having taken note of the evaluation made by the Committee of Experts of the Charter with respect to the application of the Charter by Norway;

Bearing in mind that this evaluation is based on information submitted by Norway in its third periodical report, supplementary information given by the Norwegian authorities, information submitted by bodies and associations legally established in Norway and the information obtained by the Committee of Experts during its on-the-spot visit,

Recommends that the Norwegian authorities take account of all the observations of the Committee of Experts and, as a matter of priority:

- adopt a structured policy for the protection and promotion of the Kven language in co-operation with the speakers, in particular concerning the standardisation of Kven, the improvement of teaching in/of Kven at all appropriate stages, and the increase of the use of Kven in the public sphere.
- strengthen their efforts to provide teaching materials and teacher training for Kven, Lule and South Sámi, Romani and Romanes.
- ensure that social and health care institutions within the Sámi administrative district offer services in Sámi.
- ensure that the national population registers and other public institutions accept Sámi names in their correct native form.