

EUROPEAN PARLIAMENT

1999



2004

Session document

FINAL
A5-0271/2003

14 July 2003

REPORT

with recommendations to the Commission on European regional and lesser-used languages – the languages of minorities in the EU – in the context of enlargement and cultural diversity
(2003/2057(INI))

Committee on Culture, Youth, Education, the Media and Sport

Rapporteur: Michl Ebner

(Initiative – Rule 59 of the Rules of Procedure)

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PROCEDURAL PAGE

At the sitting of 15 May 2003 the President of Parliament announced that the Committee on Culture, Youth, Education, the Media and Sport had been authorised to draw up a legislative initiative report, pursuant to Rules 59 and 163 of the Rules of Procedure, on European regional and lesser-used languages – the languages of minorities in the EU – in the context of enlargement and cultural diversity, and that the Committee on Budgets had been asked for its opinion.

The Committee on Culture, Youth, Education, the Media and Sport had appointed Michl Ebner rapporteur at its meeting of 28 November 2002.

It considered the draft report at its meetings of 20 May, 12 June and 8 July 2003.

At the last meeting it adopted the motion for a resolution by 27 votes to 2.

The following were present for the vote: Michel Rocard, chairman; Vasco Graça Moura, vice-chairman; Theresa Zabell, vice-chairman; Michl Ebner, rapporteur; Konstantinos Alyssandrakis (for Alexandros Alavanos), Ole Andreasen (for Marieke Sanders-ten Holte), Pedro Aparicio Sánchez, Juan José Bayona de Perogordo (for Francis Decourrière), Christopher J.P. Beazley, Marielle De Sarnez, Raina A. Mercedes Echerer, Ruth Hieronymi, Lucio Manisco, Maria Martens, Pedro Marset Campos (for Geneviève Fraise), Pietro-Paolo Mennea, Antonio Mussa, Camilo Nogueira Román (for Daniel Marc Cohn-Bendit pursuant to Rule 153(2)), Juan Ojeda Sanz, Doris Pack, Roy Perry, Christa Prets, Kathleen Van Brempt (for Ulpu Iivari), Gianni Vattimo, Phillip Whitehead (for Giorgio Ruffolo), Eurig Wyn, Stavros Xarchakos, Sabine Zissener, and Myrsini Zorba (for Barbara O'Toole).

The Committee on Budgets decided on 17 June 2003 not to deliver an opinion.

The report was tabled on 14 July 2003.

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

with recommendations to the Commission on European regional and lesser-used languages – the languages of minorities in the EU – in the context of enlargement and cultural diversity (2003/2057(INI))

The European Parliament,

- having regard to Article 192, second paragraph, of the EC Treaty,
 - having regard to Articles 149, 150, 151 and 308 of the EC Treaty,
 - having regard to Articles 21 and 22 of the Charter of Fundamental Rights of the European Union,
 - having regard to its resolution of 14 January 2003 on the role of regional and local authorities in European integration (2002/141(INI)) and the reference therein to linguistic diversity in Europe,
 - having regard to Decision No 1934/2000/EC of the European Parliament and the Council of 17 July 2000 on the European Year of Languages 2001¹,
 - having regard to the Council resolution of 14 February 2002 on the promotion of linguistic diversity and language learning in the framework of the implementation of the objectives of the European Year of Languages 2001²,
 - having regard to the European Charter for regional or Minority Languages of the Council of Europe, which entered into force on 1 March 1998,
 - having regard to the Council of Europe's Framework Convention for the Protection of National Minorities, which entered into force on 1 February 1998,
 - having regard to Rules 59 and 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Culture, Youth, Education, the Media and Sport (A5-0271/2003),
- A. whereas there is at present no legal provision at EU level relating to European regional and lesser-used languages,
- B. whereas no proposal within the meaning of Rule 59(2) of the Rules of Procedure is in preparation,

¹ OJ L 232, 14.9.2000, p. 1.

² OJ C 50, 23.2.2002, p. 1.

- C. whereas the European Parliament and the Committee of the Regions have addressed the question of the importance of less widely used languages on many occasions¹,
- D. whereas respect for linguistic and cultural diversity is a basic principle of the EU and is enshrined in the following terms in Article 22 of the Charter of Fundamental Rights of the European Union: ‘The Union shall respect cultural, religious and linguistic diversity’,
- E. whereas in its resolution on the role of regional and local authorities in European integration (2002/141(INI)) Parliament called for the following new article to be inserted in the EC Treaty: ‘The Community shall, within its spheres of competence, respect and promote linguistic diversity in Europe, including regional or minority languages as an expression of that diversity, by encouraging cooperation between Member States and utilising other appropriate instruments in the furtherance of this objective’,
- F. whereas it is the aim of cultural diversity to be an element of social cohesion and not to operate as an argument for a division into majority and minority,
- G. whereas indigenous minority language communities exist in some areas of the EU and, according to official statistics, 40 million Union citizens regularly speak a regional or minority language that has been handed down from generation to generation, nearly always in addition to the official language or languages of the state in question,
- H. whereas, in some Member States, the above-mentioned languages are the most widely used vehicle of communication in the respective communities concerned and have even been accorded official or equal official status (alongside another official language) at regional level,
- I. whereas, according to Commission information, there are over 60 known indigenous regional or minority language communities in the EU, a number which will be more than doubled as a result of the Union’s progressive enlargement,
- J. whereas, in the course of European enlargement, a multiplicity of new regional and minority language communities will further enrich the European Union’s linguistic and cultural diversity,

¹ Resolution of the European Parliament of 16 October 1981 on a Community charter of regional languages and cultures and a Charter of rights of ethnic minorities (OJ C 287, 9.11.1981, p. 106).

Resolution of the European Parliament of 11 February 1983 on measures in favour of minority languages and cultures (OJ C 68, 14.3.1983, p. 103).

Resolution of the European Parliament of 30 October 1987 on the languages and cultures of regional and ethnic minorities in the European Community (OJ C 318, 30.11.1987, p. 160).

Resolution of the European Parliament of 11 December 1990 on languages in the Community and the situation of Catalan (OJ C 19, 28.1.1991, p. 42).

Resolution of the European Parliament of 9 February 1994 on the linguistic and cultural minorities in the European Community (OJ C 61, 28.2.1994, p. 110).

Resolution of the European Parliament of 13 December 2001 on regional and lesser-used European languages (OJ C 177 E, 25.7.2002, p. 334).

Opinion of the Committee of the Regions of 13 June 2001 on the promotion and protection of regional and minority languages.

- K. whereas the presidency conclusions of the European Council in Copenhagen on 21 and 22 June 1993 state that respect for and protection of minorities is a requirement for membership of the European Union,
- L. whereas the customary definition of regional or minority languages in the European Charter for Regional or Minority Languages covers languages traditionally used by sections of the population of the state in question, but does not include dialects of the official language(s) of the state, the languages of immigrants or recently invented languages,
- M. whereas the definition of regional and minority languages shall not be affected by the level of support these languages receive from their respective local and/or regional authorities,
- N. whereas, despite the very considerable differences that sometimes exist between the social, economic and political factors involved in their use, Europe's regional and minority languages have many features in common throughout the EU and a European dimension, making them a matter of interest for the whole of Europe,
- O. whereas in some of these communities regional or minority languages straddle the frontiers of Member States, and there is a tradition of long-standing cultural and historical links between other such communities,
- P. whereas, since such links are undoubtedly important and continue to be promoted at interregional level, almost all these regional and minority language communities share a strong interest in the survival and development of their language and culture, as well as in making full use of their potential in the EU,
- Q. whereas regional and minority languages are a major cultural treasure trove and – given that they constitute a common cultural heritage – support to foster them should be improved constantly and at every level,
- R. whereas the media play an important role in safeguarding and promoting the knowledge and use of regional and lesser-used languages,
1. Calls on the Commission, on the basis of Articles 149, 150, 151 and 308 of the EC Treaty, to submit to it by 31 December 2003 legislative proposals on language diversity and language learning – to include European regional and lesser-used languages – in accordance with the accompanying recommendations and draft proposals annexed to this resolution;
 2. Calls on the Commission to provide scientifically based criteria for a definition of a minority or regional language for the purposes of the possible programme for linguistic diversity;
 3. Considers that, since the European Union has adopted a mainstreaming strategy in its funding policy, the objective of promoting and protecting regional and minority languages should be clearly stated as part of the objectives, at least of all the language and content industry-related programmes;

4. Considers that the budgetary impact of the actions and programmes requested in the above recommendations should be compatible with the ceiling of heading 3 without a reprogramming of existing policies;
5. Asks the Commission to accompany its future initiative with an evaluation of possible duplication of activities at centralised and decentralised levels as well as a proposal for transferring from headquarters to the agencies concerned the appropriate human and administrative resources;
6. Notes that the recommendations in question are in accordance with the principle of subsidiarity and with citizens' fundamental rights;
7. Proposes that a new budget item be established under Article B3-100 in the course of the annual budgetary procedure and that the corresponding appropriations be entered in the budget;
8. Instructs its President to forward this resolution, and the accompanying detailed recommendations, to the Commission, the Council, the Convention on the future of Europe, the Council of Europe, and the European Bureau for Lesser-Used Languages.

ANNEX TO THE MOTION FOR RESOLUTION

DETAILED RECOMMENDATIONS ON THE CONTENT OF THE REQUESTED PROPOSAL

A. PRINCIPLES AND OBJECTIVES OF THE PROPOSAL

After the success of the European Year of Languages 2001, the Commission intends to publish in the summer of 2003 an **Action Plan** on Language Learning and Linguistic Diversity, based on resources available under current Community programmes and measures.

The European Parliament regards this initiative as an important step towards a global approach to encouraging language learning and creating greater awareness of our linguistic and cultural heritage.

The European Parliament calls for more measures in this area. Following the same approach used for the European Year against Racism 1997, which led to the setting-up of the European Monitoring Centre on Racism and Xenophobia and the launching of an action programme to combat discrimination, the EP calls for the setting-up of a European Agency on Linguistic Diversity and Language Learning and a multi-annual programme on linguistic diversity and language learning, building on the success of the European Year of Languages 2001.

The **Agency on Linguistic Diversity and Language Learning** should keep constant track of developments in this area and the implementation of the action plan and also introduce concrete measures, *inter alia* to help promote a multilingual Europe and a language-friendly environment, and develop a network to promote linguistic diversity, to include European regional and minority languages.

At the same time, suitable arrangements should be made to ensure that part of the financial appropriations are specifically earmarked for concrete measures and for regional and less widely used languages. The aim of these measures is to reinforce the European dimension with a view to promoting and protecting regional and minority languages and cultures. It is important to stress that this aim cannot be effectively pursued without proper coordination with the machinery existing within the Council of Europe, avoiding overlapping or encroachment in terms of responsibilities and/or operations. In particular, because monitoring is carried out under the European Charter for Regional or Minority Languages, the key Europe-wide legal frame of reference applying in this sphere, and above all through the work of the independent committee responsible for supervising implementation of the Charter as well as the two-yearly reports submitted by the Secretary-General of the Council of Europe, it is possible to identify problem areas, often horizontal by nature to the extent that several countries are affected, in which action needs to be taken as a matter of priority. In their activities, therefore, the agency and the Commission should take account of the findings of this monitoring when determining aims, financial guidelines, and priorities so as to enable the right measures to be taken at the right time as regards the problem areas (similar considerations apply to the monitoring carried out under the Framework Convention for the Protection of National Minorities, in so far as it also relates to linguistic profiles).

The proposed initiatives are justified by the fact that our linguistic and cultural heritage will play a particularly significant role, and one which should not be underestimated, in an enlarged Union.

B. PROPOSED MEASURES

Recommendation 1

European Agency for Linguistic Diversity and Language Learning

- I. *Legal act:* Proposal for a legal act setting up a European Agency for Linguistic Diversity and Language Learning, taking due account of regional and minority European languages;
- II. *Content:* Taking into account the results of the feasibility study to be made by the European Commission on a European Agency for Linguistic Diversity and Language Learning, implementation of the measures proposed in the Commission's action plan; promotion of a multilingual Europe and a climate of acceptance of multilingualism; development of a network to promote linguistic diversity, with the inclusion of European regional and minority languages; collection and collation of data, without undermining data protection, on the situation of the minority languages in an enlarged EU, fully respecting Member State provision for educational instruction in the indigenous language.

Recommendation 2

Programme for linguistic diversity (to include regional and minority languages) and language learning

- I. *Legal act:* Proposal for a legal act to establish a multi-annual programme for linguistic diversity (to include regional, minority and sign languages) and language learning;
- II. *Content:* The establishment of concrete financial measures to promote projects relating to the creation of a climate of acceptance of multilingualism, especially as an exchange of experience between multilingual municipalities and regions, highlighting the benefits of language learning and supporting the European networks active in this field, also taking into account, when determining aims and priorities regarding regional or minority languages, the findings of the monitoring carried out under the Council of Europe's European Charter for Regional or Minority Languages.

In addition to these two central measures, the European Parliament considers that a global approach to promoting linguistic diversity and language learning, and to preserving our linguistic and cultural heritage, including that of Europe's regional and minority languages, requires the following measures.

The European Parliament considers, therefore, that

the Commission should:

1. on the basis of Article 3(1)(q) TEC, include the promotion of linguistic diversity, to include regional or minority languages, and language learning, among the objectives of the EU's cultural and educational programmes;
2. on the basis of Article 3(1) (q) TEC, ensure that the promotion of linguistic diversity, to include regional or minority languages, is also taken into account in other EU programmes, and for example is clearly identified as a target area in the action programme to combat discrimination or in the Structural Funds;
3. on the basis of Article 149 TEC, make all programmes accessible for proposals for all projects dealing with all languages, whether they are widely spoken or not;
4. if the languages in question have official status and are used in universities, bring them within the scope of implementation of the Socrates programme;
5. take the necessary measures to ensure that, in future, the interpretation of Articles 149, 150 and 151 TEC is based on an inclusive approach to linguistic diversity;
6. on the basis of Articles 149(3) TEC and 151(3) TEC, ensure that it is regularly and officially informed by the secretariat of the European Charter on Regional or Minority Languages concerning the state of ratification, and developments in relation to the implementation, of the Charter in the EU Member States,
7. on the basis of Articles 149(3) TEC and 151(3) TEC, ensure that it is regularly and officially informed by the Secretariat of the Council of Europe Framework Convention for the Protection of National Minorities concerning the state of ratification, and developments in relation to the implementation, of the Framework Convention in the EU Member States;
8. on the basis of Article 149 TEC, and with a view to encouraging teacher mobility, encourage the training of teachers of regional or minority languages;
9. report regularly to the Committee on Culture of the EP on developments relating to the Action Plan on Language Learning and Linguistic Diversity and its implementation;
10. on the basis of Article 6 TEU, pay particular attention to the protection of human rights in general and the protection of minorities in particular, not only in relation to external policy, but also in the Member States;
11. on the basis of Article 6 TEU, establish regular monitoring of human rights protection, including the protection of minorities;
12. continue to support the European Bureau for Lesser-Used Languages (EBLUL), a network representing lesser-used language communities in all 15 EU Member States, and the three Mercator academic research centres, all as organisations of general European interest and networks for regional and minority languages, increase its financial support in order to create the conditions for expanding the Bureau's spheres of competence, and make use of its resources;

13. promote the mutual cooperation of regional or minority language communities, provided this has a European dimension and involves cross-border cooperation (for example MIDAS, EEBA, etc.);
14. when conducting campaigns to publicise EU policies, take newspapers published in a regional or minority language properly into account, following a politically balanced approach;
15. promote cultural activities – such as cultural networks, cultural events, translations, etc. – in which regional or minority languages are involved;
16. support the development of networks for the promotion of linguistic diversity and language learning, involving representative political, academic and other bodies, especially those engaged in using new language-learning techniques such as the so-called language baths, and organise an annual information seminar on calls for tenders or proposals targeted at language communities. The European Bureau for Lesser-used Languages could function as a secretariat for such networks;
17. when determining aims, financial guidelines, and priorities, take into account the findings of the monitoring carried out under both the Council of Europe's European Charter for Regional or Minority Languages and, in so far as it also relates to linguistic profiles, its Framework Convention for the Protection of National Minorities; to that end, cooperation should be established on a regular basis between the appropriate Commission and Council of Europe departments;
18. create a way for the range of languages used in the European Union institutions to incorporate those official languages of Member States which are most widely used on their territory, in all walks of society, in the media, and also in education, not least at university level;
19. support forums of local and regional authorities involved in language planning in order to exchange information regarding most effective methods for the implementation of language policies;
20. apply the principles and objectives of the Charter as a benchmark in assessing compliance of the applicant countries with the obligations regarding the protection of their minorities as outlined in the conclusions of the 1993 European Council in Copenhagen;

the Intergovernmental Conference should:

21. include in the provisions concerning action by the EU in the field of culture an explicit reference to the promotion of linguistic diversity including regional and minority languages as an expression of cultural and linguistic diversity.

1. The Community shall, within its spheres of competence, respect and promote linguistic diversity in Europe, including regional or minority languages as an expression of that diversity, by encouraging cooperation among Member States and utilising other appropriate instruments in furtherance of this objective.

2. Community action shall particularly include:
 - Promoting exchange of experiences and good practices;
 - Facilitating cooperation and joint projects between state, regional and local authorities;
 - Promoting, where appropriate, trans-border cooperation;
 - Supporting cooperation among the organisations of civil society.
 3. The Community and the Member States shall foster cooperation with competent international organisations in the promotion of linguistic diversity, in particular the Council of Europe.
 4. The European Union shall endeavour to ensure that no EU policies or measures are adopted or applied in ways that are detrimental to the linguistic diversity of Europe.
 5. In order to contribute to the achievement of the objectives referred to in this Article, the Council:
 - acting in accordance with the procedure referred to in Article 251, after consulting the Economic and Social Committee and the Committee of the Regions, shall adopt appropriate measures, excluding any harmonisation of the laws and regulations of the Member States;
 - acting by a qualified majority on a proposal from the Commission, shall adopt recommendations.
22. ensure that Article 13 TEC also covers discrimination on the grounds of language;
 23. ensure that, for cultural matters (Article 151 TEC), the principle of qualified majority is introduced;
 24. draw up an annual report on compliance with the provisions on diversity contained in Article 151(4)(ECT). This report should examine the effects of secondary legislation and the extent to which it takes into account the linguistic diversity, specific national and regional features and cultural heritage of the Member States;
 25. ensure that the following new Article 151a is inserted in the EC Treaty: ‘The Community shall, within its spheres of competence, respect and promote linguistic diversity in Europe, including regional or minority languages as an expression of that diversity, by encouraging cooperation between Member States and utilising other appropriate instruments in the furtherance of this objective’;

the European Parliament itself should see that:

26. a specific section of the EP’s reports on human rights, or its own specific reports, deal with the protection of minorities;

27. the European Parliament's Committee on Culture is regularly and officially informed by the secretariat of the European Charter on Regional or Minority Languages concerning the state of ratification, and developments in relation to the implementation of, the European Charter for Regional or Minority Languages in the EU Member States;
28. the European Parliament's Committee on Human Rights is regularly and officially informed by the secretariat of the Council of Europe's Framework Convention on the Protection of National Minorities on the state of ratification, and developments in the implementation, of the Framework Convention in the EU Member States;
29. if they have not already done so, Member States and candidate countries ratify, as soon as possible, the Council of Europe's European Charter for Regional or Minority Languages and its Framework Convention for the Protection of National Minorities;

the Member States and candidate countries should:

30. compile, as a basis for further measures, reliable data on ethnic, linguistic and religious minority groups, including immigrants and refugees, on their economic and social isolation/exclusion, and on the legal and practical status of regional and minority languages, and send such data to the European Monitoring Centre in Vienna;

the Council should:

31. in agreement with the Commission, and as requested in the opinion on the Council report on human rights for 1999, include in its annual report on the human rights situation an analysis of the development of human rights, including the rights of national minorities, in the individual Member States, taking into account also the outcome of Council of Europe activities in this field, to make it possible to formulate strategies to ensure that national and European policies in this area are more consistent.

EXPLANATORY STATEMENT

The EP has demonstrated its commitment to the protection of lesser-used languages in a series of resolutions going back to the early 1980s, including in particular:

- the two resolutions on the Arfé reports (1981, 1983)
- the resolution on the Kuijpers report (1987)
- the resolution on the Reding report (1991)
- the resolution on the Killilea report (1994)
- the resolution on the Morgan motion for a resolution (2001).

It was due to the commitment and efforts of the European Parliament that the European Bureau for Lesser-Used Languages (EBLUL) was set up in 1982 and a separate budget line for the 'promotion and safeguard of minority and regional languages and cultures' was introduced in 1983. Unfortunately, however, this budget line was suspended as a result of a ruling of the Court of Justice in 1998 (which means that the financial resources exist, but the Commission is unable to use them). The judgment of the Court was not concerned with less widely used languages but with questions of principle concerning the use of budgetary appropriations, and concluded that the EU's financial resources may not be used without a suitable legal basis. So far the Commission has failed to create a legal basis for the promotion of European regional and lesser-used languages.

The EU and the Council of Europe jointly designated 2001 as European Year of Languages. It was not just a year for the 'big' languages, but for all languages, including the less widely used European regional or minority languages. At the same time, it was also the last year in which the EU was able to support projects to promote lesser-used European regional or minority languages. A budget heading for 2002, adopted for that purpose by the EP, could not be used as a result of the legal stalemate.

In the Council resolution of 14 February 2002 on the promotion of linguistic diversity and language learning, the Council declared itself in favour of linguistic diversity and instructed the Commission to draw up an action plan on linguistic diversity and language learning.

The action plan takes an inclusive approach, in other words seeks to promote languages as such, including lesser-used European regional and minority languages. The latter were also explicitly discussed in the Commission's discussion paper on the action plan.

At the same time, a process of consultation is in train concerning the development of the new European programmes in the field of education and vocational training and youth which will replace the existing Socrates, Tempus, Leonardo da Vinci and youth programmes after 2006.

The European Convention, which is working on a European Constitution, is also discussing additional areas of responsibility (including culture and education).

At this decisive juncture the EP should not only take a position on the Commission's proposals but also, in the tradition of its earlier resolutions, take a step further and propose a legislative initiative. For the action plan will have little impact unless it is supported by legislative measures.

According to the Commission's official information, 40 million Europeans speak a minority language. EU enlargement in 2004 will increase that number by a further six million. Against that background, initiatives to encourage linguistic diversity could help create a climate of trust, defuse certain existing controversial issues and created heightened public awareness of our common linguistic and cultural heritage in an enlarged Europe.