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Application of the European Charter for Regional or Minority Languages (2018-2020)

Report by the Secretary General of the Council of Europe to the Parliamentary Assembly

Communication
Secretary General of the Council of Europe

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1. Introduction

1. In accordance with Article 16, paragraph 5, of the European Charter for Regional or Minority Languages (ETS No. 148, hereinafter “the Charter”), the Secretary General is required to present a two-yearly report to the Parliamentary Assembly (hereinafter “the Assembly”) on the application of the Charter by the States Parties.

2. The Secretary General’s tenth report covers the period 2018-2020, i.e. three consecutive years. This choice was dictated by the exceptional circumstances surrounding the Council of Europe’s activities in 2020 which, particularly from March onwards, saw an unprecedented public health crisis that had major ramifications for the whole of Europe and its different bodies, both national and international. The two-yearly report due in April 2020 could not be presented to the Assembly firstly because this part of the 2020 parliamentary session could not take place and secondly because all the Council of Europe's activities were constrained by the various health restrictions introduced across Europe. As a consequence, this report seeks to reduce the backlog and take stock of the positions adopted by the Charter’s Committee of Experts and the Committee of Ministers in the field of the protection of regional or minority languages from 1 January 2018 to 31 December 2020.

3. In substance, the tenth report deals with the main issues related to the functioning of the Charter system in the light of the conclusions of the high-level conference held in Strasbourg in June 2018 to mark the 20th anniversary of the entry into force of the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities (hereinafter "the Framework Convention"). The present report highlights the improvements that were made to the Charter's monitoring mechanism by the Committee of Ministers in November 2018 and their implementation in practice by the relevant stakeholders.[1] In addition, this communication to the Assembly describes how the Committee of Experts has sought to address challenges to the equal rights of speakers of languages traditionally spoken in Europe in the context of the public health crisis. The report briefly outlines what the secretariat has been doing to strengthen the capacity of member states to honour their commitments under the Charter and to contribute to the development of anti-discrimination policies and practices in line with the standards of the Council of Europe. Finally, it presents relevant inter-institutional and international relations during the reference period.

4. The implementation of the Charter's provisions has been monitored since 1998 by fully independent experts of the Charter’s Committee of Experts (hereinafter “the Committee of Experts”), as well as by the Committee of Ministers of the Council of Europe. Before drafting its reports evaluating the commitments made by the States Parties to the Charter, the Committee of Experts carries out on-the-spot visits during which the emphasis is on face-to-face communication with speakers of regional or minority languages and the organisations that represent them. The members of the Committee of Experts thus seek a balance between promoting the official language of the country and protecting minority languages, a challenge at the heart of multilateralism. At the same time, technological developments, in particular digitisation, have created both fresh challenges and opportunities for minority languages, which the COVID-19 pandemic has further accentuated and which the Committee of Experts endeavours to take into account.

5. During the period covered by the report, the Council of Europe has continued to stress the importance of multilateral collaboration and the implementation of Council of Europe relevant standards at national level. Emphasis has been placed on reforming the Charter’s monitoring mechanism with a view to better incorporating the findings of the monitoring into national anti-discrimination policies. Efforts have been made to increase the synergies and co-ordination of the Council of Europe’s monitoring mechanisms in the field of protection of national minorities, starting with the above-mentioned Conference in 2018. Other Council of Europe bodies, such as the Congress of Local and Regional Authorities, the European Court of Human Rights or the Venice Commission, refer to the Charter and the conclusions of the Committee of Experts in their observations, while at the same time enhancing the impact of the Charter's principles and specific provisions in their own ways.

6. The Parliamentary Assembly has a key role in raising awareness of the Charter and policies for the preservation of our linguistic heritage in Europe. The recommendations of the Charter's Committee of Experts and the Committee of Ministers provide a basis for action by members of the Parliamentary Assembly to promote regional or minority languages in each member State in the light of rapid developments in European societies and economies, for example in the field of information and communication technologies. The support of the Parliamentary Assembly and national parliaments is key, particularly to increase the number of ratifications of the Charter and the number of undertakings given by States Parties.

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1. The monitoring mechanism of the Framework Convention underwent a similar reform in 2019.

2. Monitoring the application of the European Charter for Regional or Minority Languages

7. The provisions of the Charter and the recommendations made after successive monitoring cycles in the 25 States Parties to the Charter (see Appendix 1 to this report) have led to the establishment of a growing body of national laws safeguarding teaching in and of regional or minority languages at all levels of public or private education, the use of these languages in dealings with administrations and public services such as hospitals, on topographical signs, and in participatory structures giving representatives of linguistic minorities access to decision-making at national, regional or local level. With a view to increasing the impact of the Charter in the everyday lives of speakers of regional or minority languages, the Council of Europe set about reforming the Charter's monitoring mechanism during the 2018-2019 biennium.

2.1. Objectives and key features of the 2018 reform

8. In light of the conclusions of the high-level Conference held in Strasbourg on 18-19 June 2018 by the Croatian Chairmanship of the Committee of Ministers to mark the 20th anniversary of the entry into force of the Charter and the Framework Convention, on 28 November 2018 the Committee of Ministers adopted, after consultations with the Committee of Experts, a comprehensive reform of the Charter's monitoring mechanism (see Appendix 2). The new provisions entered into force on 1 July 2019.

9. The reform was prompted, *inter alia*, by the desire to lighten the burden for national administrations of the obligation to draft, at short intervals of three years, long narrative reports and the resulting delays in the submission of periodic reports by the States Parties to the Charter. These delays have not yet been fully resolved, despite important efforts on the part of States Parties and the secretariat. The COVID-19 pandemic is now delaying the drafting of full reports, whose preparation requires on-the-spot visits and direct contact with speakers. A degree of latitude in the handling of cases has proven necessary. The Committee of Ministers has acknowledged this prerequisite by authorising exceptional measures for monitoring mechanisms, including that of the Charter.[2]

10. Since the entry into force of the reform:

– the States Parties have been required to present their full periodic reports on the implementation of all their commitments under the Charter every five years instead of three, and information about the implementation of the recommendations identified by the Committee of Experts in the last evaluation report as being for immediate action every two and a half years (see I.3 below);

– however, if and despite written reminders from the Charter secretariat, or even the Committee of Ministers (see Appendix 2, Decision No. 1 c. and d. of the Ministers' Deputies), a State Party fails to report to the Committee of Ministers within the prescribed time, the latter may, under certain conditions, commence monitoring with respect to the State concerned without a periodical report;

– States Parties to the Charter which are also parties to the Framework Convention are to present their periodical reports on the Charter and on the Framework Convention by progressively aligned dates, as per the table in Appendix 2 to this report;

– on receiving the evaluation report for comments, a State Party may ask the Committee of Experts for a confidential dialogue if, in its opinion, there are factual errors in the report;

– the Committee of Experts is authorised to publish its evaluation reports on receiving the final comments from a State Party and before the Committee of Ministers examines the evaluation report and adopts its own recommendation for the State concerned;

– the number of terms that members of the Committee of Experts may serve has been limited to enable the Committee to be renewed on a regular basis.

11. In addition, the Committee of Ministers has encouraged wider use of the Committee of Experts' rapid reaction capacity and ad hoc missions, as provided for in its Rules of Procedure, amended in March 2019. In order to support the optimal implementation of the reform, the Committee of Ministers has also adopted a revised outline for State reports. The information to be provided in accordance with this outline should enable the Committee of Experts to better assess whether a Party has implemented each commitment and each related follow-up recommendation with respect to each protected language within its territory.

2. CM(2020)182 and decision of the Committee of Ministers of 8 December 2020 CM/Del/Dec(2020)1391/11.7 – Exceptional measures for monitoring mechanisms with on-site visits.

2.2. Recommendations to States Parties from 2018 to 2020

2.2.1. Committee of Ministers' recommendations

12. Over the period 2018-2020, the Committee of Ministers adopted and published the following recommendations, relating to the respective evaluation reports of the Committee of Experts. The Committee of Experts also reached some important milestones with the start of the 8th monitoring cycle for three States Parties to the Charter (Hungary, Norway, Switzerland).

2018

i. 4 April, Austria, Recommendation CM/RecChL(2018)2, fourth evaluation report,

ii. 4 April, Cyprus, Recommendation CM/RecChL(2018)1, fifth evaluation report,

iii. 4 April, Romania, Recommendation CM/RecChL(2018)3, second evaluation report,

iv. 4 July, Norway, Recommendation CM/RecChL(2018)4, seventh evaluation report,

v. 3 October, Finland, Recommendation CM/RecChL(2018)5, fifth evaluation report,

vi. 12 December, Ukraine, Recommendation CM/RecChL(2018)6, third evaluation report;

2019[3]

i. 30 January, Germany, Recommendation CM/RecChL(2019)1, sixth evaluation report,

ii. 4 April, Serbia, Recommendation CM/RecChL(2019)2, fourth evaluation report,

iii. 19 June, Czech Republic, Recommendation CM/RecChL(2019)3, fourth evaluation report,

iv. 19 June, Hungary, Recommendation CM/RecChL(2019)4, seventh evaluation report,

v. 5 November, Slovak Republic, Recommendation CM/RecChL(2019)5, fifth evaluation report,

vi. 11 December, Switzerland, Recommendation CM/RecChL(2019)6, seventh evaluation report,

vii. 11 December, Spain, Recommendation CM/RecChL(2019)7, fifth evaluation report;

2020

i. 1 July, United Kingdom, Recommendation CM/RecChL(2020)1, fifth evaluation report,

ii. 23 September, Netherlands, Recommendation CM/RecChL(2020)3, sixth evaluation report,

iii. 23 September, Slovenia, Recommendation CM/RecChL(2020)2, fifth evaluation report,

iv. 8 December, Croatia, Recommendation CM/RecChL(2020)7, sixth evaluation report,

v. 8 December, Montenegro, Recommendation CM/RecChL(2020)4, fifth evaluation report,

vi. 8 December, Armenia, Recommendation CM/RecChL(2020)6, fifth evaluation report,

vii. 8 December, Sweden, Recommendation CM/RecChL(2020)5, seventh evaluation report.

13. Although progress was observed in many countries, it was noted during the period under review that some previous recommendations had to be reiterated. This is particularly true of minority language education, which requires a structured approach, and where there is a shortage of minority language teachers. It was emphasised that teaching in and of minority languages is also crucial in encouraging young people to be open-minded and fostering respect and tolerance towards ethnic and cultural diversity.

14. Among the recurring issues in the field of minority language protection, the Committee of Experts of the Charter and the Committee of Ministers frequently stress the need for resolute and proactive government measures to safeguard the use of minority or regional languages by administrative authorities and public services. The question that often arises in this field is how to enforce the Charter in areas where a sufficient number of speakers use a language, but where the formal threshold of the number of permanent residents

3. The fifth report on Luxembourg was likewise adopted in 2019 (CM(2019)93) with no recommendations to the authorities, because no regional or minority languages are spoken within the territory of Luxembourg, which chose to ratify the Charter as an act of solidarity [as did Liechtenstein, whose ratification paved the way for the Charter's entry into force in 1998].

who identify themselves as an ethnic or national minority has not been reached. In some countries, the thresholds set, for example, for electoral purposes or as a condition for the use of a non-state language in administration and public services, amount to 20% of all permanent residents.

15. Another area of concern is the use of minority or regional languages in the media, where some languages are absent, while for others the frequency and duration of programmes in regional or minority languages are considered insufficient to promote them as languages of communication and fully reflect the diversity of society in the media.

2.2.2. Recommendations for immediate action made by the Charter's Committee of Experts

16. The 2018 reform introduced a procedure for reporting on the implementation of recommendations for immediate action at the mid-point of the new five-year monitoring cycle (see I.1 above and Appendix 2 to this report).

17. Since 2017, the Committee of Experts has been sending States Parties its recommendations for emergency measures to be put in place prior to the next assessment. It is for the Committee of Experts alone to identify, in its evaluation report as published prior to its examination by the Committee of Ministers, a limited number of recommendations for immediate action by the authorities of a State Party. The aim of these recommendations is to help the State concerned to remedy the most flagrant failures to honour its commitments within a relatively short period of two and a half years from the start of the monitoring cycle, according to a pre-determined timetable. At the end of this period, the State is required to report briefly on the implementation of the recommendations for immediate action, as contained in the most recent evaluation report.

18. During a five-year transition period starting on 1 July 2019, information on the recommendations for immediate action made in the Committee of Experts' evaluation report is to be submitted on the dates indicated by the Committee of Ministers in its decisions on the reform (see Appendix 2). After receiving the information, the Committee of Experts consults in writing with the speakers of regional or minority languages on the measures taken and makes a short assessment of the situation, without carrying out an on-the-spot visit or making further recommendations to the State Party. The conclusions of the Committee of Experts are forwarded to the relevant national authorities and to the Committee of Ministers for information. This simplifies the procedure for all stakeholders and reduces their respective workloads compared with the former three-year cycle. The new procedure ensures regular monitoring of the situation with regard to language protection and guides national authorities in their efforts, from one full monitoring cycle to the next.

19. The recommendations for immediate action made between 2018 and 2020 to 20 States Parties were concerned mainly with education, media, signage in different places around the country, awareness of regional or minority languages, linguistic and multi-ethnic tolerance, promotion and/or revitalisation of certain languages, especially those in imminent danger of extinction. The Committee of Experts has repeatedly stressed the need for resolute action and sustained funding on the part of the competent authorities. It has called for close co-operation between national, regional and local authorities and speakers of regional or minority languages. A brief summary of the recommended measures and the areas covered by the Committee of Experts on a country-by-country basis can be found in Appendix 3 below.

20. Being unable to travel to States Parties during the COVID-19 pandemic in 2020, the Committee of Experts focused its monitoring efforts on concluding the 2019 cases and, above all, on studying the implementation of the recommendations for immediate action. As this was the first such exercise in the history of the Charter, the Committee began by producing an outline for its future reports relating to state information on the follow-up given to the recommendations for immediate action. In the course of 2020, the following cases were dealt with: Czech Republic (MIN-LANG(2020)7), Denmark (MIN-LANG(2020)13), Finland (MIN-LANG(2020)12) and Hungary (MIN-LANG(2020)14; others were prepared for review in 2021. In the four cases closed, the Committee of Experts noted progress made in response to the recommendations for immediate action. The Committee also observed that some of the information provided merely repeated points that had already been established in the previous monitoring cycle. The Committee therefore encouraged the States Parties to look more closely at the actual content of its recommendations so as to implement them through structured government action.

2.3. How the Charter's Committee of Experts has responded to the COVID-19 pandemic

21. The COVID-19 pandemic has exacerbated the vulnerability of certain minorities and speakers of regional or minority languages in many countries, widening existing inequalities. Council of Europe standards that exist to assist member states in dealing with emergencies are indeed in place as also demonstrated during the pandemic. In some instances, however, full compliance with relevant standards and recommendations is missing.

22. In 2020, for example, the Charter secretariat conducted research into the teaching of regional or minority languages, as enshrined in Article 8 of the Charter. The role of teachers and schools has proven to be of the utmost importance in ensuring that students have access to education in their own language during the epidemic. Similarly, associations representing speakers of regional or minority languages played an important role in the transition to online teaching in and of regional or minority languages when European pupils and students were in lockdown.

23. At its plenary session by videoconference on 3 July 2020, the Committee of Experts adopted a declaration on regional or minority languages and e-learning in the context of the COVID-19 pandemic (see Appendix 5). In it, the Committee affirms that online education can and should complement face-to-face education, if the latter cannot be provided for compelling and duly justified reasons, and that reasonable accommodation should be made in this area for the benefit of teachers and learners alike. In its future reviews of States Parties' compliance with the Charter, the Committee states that it intends to pay more attention to the use of information and communication technologies in national education systems, given that education is at the heart of the Charter's provisions and should not be subject to lengthy interruptions.

24. As early as March 2020, the Committee of Experts highlighted the importance to provide health-related information and communication in regional or minority languages, repeatedly reminding States of their obligations under the Charter (see Appendices 4 and 5 and the interview with Vesna Crnić-Grotić, April 2020).

3. Assistance to Council of Europe member states

25. The Charter's monitoring mechanism leads to the development of national legislation and policies and their effective implementation for the benefit of speakers of regional or minority languages.

26. With this in mind, the Council of Europe initiates and/or organises assistance activities with States, both members and non-members of the Council of Europe, parties and non-parties to the Charter. In recent years, assistance activities have taken place in the following geographical areas: the Western Balkans, the Republic of Moldova, the Caucasus and Ukraine, in particular thanks to the commitment and significant financial support of the European Union.

27. In order to assist all Council of Europe member states in their regional and minority language policies, a call for examples of good practice in the member states was launched by the secretariat in 2019. A study resulting from this will be published shortly, including data from 2020 (see point I.3. above).

3.1. Activities and measures developed for States Parties to the Charter

28. In the past, round tables were occasionally held on follow-up recommendations for all the stakeholders in a country. Moderated by a member of the Committee of Experts, they were aimed at identifying tangible ways to implement the recommendations made by the Committee of Experts and the Committee of Ministers. During the period covered, activities of this kind were not a priority as efforts were concentrated first on reforming the monitoring mechanism in 2018-2019 and then on the COVID-19 pandemic in 2020 (see above). Only Germany and Sweden hosted round tables, at which measures to strengthen the institutional and legal framework and to improve the participation of minority groups in decision-making processes were discussed with different partners. All States Parties are encouraged to organise such events, in particular before submitting their information on the recommendations for immediate action, even if only by videoconference with the participation of all stakeholders (see I.2.b. above). This particular strand of activities is very important for the success of the system, especially in the wake of the recent reform (see IV.1. below).

29. As part of the Council of Europe Action Plan for Ukraine, the project *Protecting national minorities, including Roma, and minority languages in Ukraine* (2018-2020) was carried out. One of the aims of the project was to improve standards of teaching in and of minority languages by improving the legal framework and the capacities of education professionals. Legal advice was provided on the conformity of the provisions

of the draft Law on General Secondary Education with Ukraine's commitments under the Charter. In addition, members of the parliamentary working group responsible for drafting new legislation on national minorities were trained in Charter standards.

30. With regard to capacity-building, Ukraine received advice on the provision of minority language education in the light of existing teaching models in various Council of Europe member states. Measures included the training of officials from the Ministry of Education and Science and education professionals in good policies and practices in Europe. The authorities were provided with teaching materials to promote minority languages in schools and to raise awareness of these languages and the groups that use them.

31. As part of the project, a Working Group on Codification of the Romani Language was set up at the Pedagogical Institute of the Ukrainian Academy of Sciences. Drawing on good practices from different Council of Europe member states and the standards of the Charter, the Working Group codified the basic vocabulary of Romani for use in primary education. The authorities intend to use the codified Romani language to design and implement a comprehensive Romani language teaching strategy, including teacher training and the development of curricula and teaching materials. The Council of Europe will support this process in Phase II of the project in 2021-2022.

32. Elsewhere in Europe, the *Horizontal Facility for the Western Balkans and Turkey* (2018-2020) was applied to Bosnia and Herzegovina and Serbia. The programme paved the way for the provision of financial support to Bosnia and Herzegovina, a State Party to the Charter since 2011, to encourage the use of Charter-protected minority languages in public life. The focus was on translating certain sections of municipal websites into Czech, German, Italian, Polish, Romani and Ukrainian, publications on national minorities into Czech, German, Hungarian, Italian, Polish, Slovenian, Turkish and Ukrainian and television programmes into Romani. The Ministry of Human Rights and Refugees received support in setting up a mechanism to facilitate, *inter alia*, the implementation of the recommendations of the Charter's Committee of Experts and the drafting of the relevant reports.

33. In Serbia, a State Party to the Charter since 2006, the *Horizontal Facility* was used to advise the Serbian authorities on the organisation of bilingual education (education in a minority language with a second language, mainly Serbian).

3.2. Promoting the Charter among the authorities of non-party States

34. During the period under review, contacts were made and discussions on the ratification of the Charter initiated with, for example, Ireland (non-party, non-signatory State) and Italy (non-party state, signatory since 2000). Three other member states (Albania, Georgia, Republic of Moldova) benefited from legal advice and capacity building in relation to the ratification of the Charter or the application of its standards.

35. In 2018 and 2019, the Council of Europe, drawing on the *Horizontal Facility for the Western Balkans and Turkey* financed by the European Union, helped the Albanian authorities to, *inter alia*, review their domestic legislation and practice for compliance with the Charter and to prepare a draft ratification instrument including selected Charter commitments in accordance with its post-accession commitment. In 2020, within the framework of *Horizontal Facility II*, the Albanian authorities obtained legal advice when preparing the statutes relating to Law No. 96/2017 on the *Protection of National Minorities in the Republic of Albania*, concerning the use of minority languages in dealings with local authorities. During the COVID-19 pandemic, leaflets containing information about the virus were published in the eight minority languages, including some covered by the Charter in the Western Balkan region (Aromanian[4], Bosnian, Bulgarian, Greek, Macedonian, Romani, Serbian and Montenegrin), in co-operation with the State Committee for Minorities and the Institute of Public Health/Ministry of Health and Social Welfare of Albania.

36. As part of the European Union and Council of Europe Partnership for Good Governance project *Protecting national minorities and minority languages in Georgia, the Republic of Moldova and Belarus*[5], co-funded by the European Union and the Council of Europe and implemented by the Council of Europe, support has been provided to Georgia (non-party, non-signatory State). The activity focused on signage and newspapers in minority languages, and the provision of minority language education. In November 2018, at a workshop on joint services, translations, training of journalists, and the funding/

4. In some States Parties to the Charter, Aromanian is regarded as a dialect of Romanian. Two States which are not parties to the Charter regard it, to some extent and in some areas, as a minority language. Aromanian is spoken in Albania, Bulgaria, Greece, North Macedonia, Romania, Serbia and Turkey.

5. For information on activities in Belarus, which is not a Council of Europe member State, see section III.2 below.

promotion of media in Georgia's minority languages (Armenian, Azeri, German, Russian), participants discussed, in the presence of an official from the Office of the Georgian State Minister for Reconciliation and Civic Equality, how the print and broadcast media could work together.

37. The same joint European project led to a major awareness-raising operation on minority languages in the Republic of Moldova, which signed the Charter in 2002. In November 2018, the capital city, Chișinău, inaugurated new multilingual pedestrian signage showing the way to any buildings that have connections with national minorities. The signage is in three languages, namely the state language, English and a relevant minority language (Russian, Ukrainian, Bulgarian, German or Yiddish) and points the way to public institutions (Parliament, presidency, government, town hall), cultural institutions (museums, theatres, concert halls, etc.), churches and synagogues, monuments and memorials, parks and main streets, university buildings, railway stations and airports. The signs also include a reference to the Charter. Located along Bd. Ștefan cel Mare și Sfânt, Chişinău's main avenue, the 184 signs attracted media attention at the time of their inauguration and are a means of permanently raising the profile of almost all the regional or minority languages of the Republic of Moldova to be covered by the Charter.[6]

3.3. Work with other stakeholders in the member states

38. The Charter was promoted, for example, at the *Tutelar las Lenguas Minorizadas* conference, hosted by *Euskalzaindia* in January 2019 in Pamplona, Spain, a State Party to the Charter since 2001, to mark the 100th anniversary of the Royal Academy of the Basque Language. As part of the Le Mois Kréyol festival staged in France[7] in October 2019, speakers of Creole languages, including teachers, exchanged views at the Council of Europe in Strasbourg on their language and its status in France's education system, including against the background of the relevant provisions of the Charter and the experience of the States Parties. The "meaning of language in the preservation of minority identity" was discussed in Daruvar, Croatia[8]in February 2020, with the participation of experts from the Charter and the Framework Convention.

39. In order to support teachers and facilitate their work, the Charter's Committee of Experts produced and published in May 2019 an Educational Toolkit – Classroom activities. This document, available in 16 languages[9], came about as a result of a thoughtful reflection on the importance of enhancing the visibility of the Charter, in particular through the school system. Its main purpose is to provide the educational community with a useful tool with which to disseminate information about the Charter and minority languages and so raise awareness of linguistic diversity. The activities suggested in the publication were, for example, discussed and promoted in November 2018 with Italian teachers of the Ladin language spoken in north-eastern Italy[10]. They were also promoted among European education ministers, stakeholders, civil society representatives, teachers and educators at the second European Education Summit, which was held in Brussels on 26 September 2019 to coincide with the European Day of Languages.

4. Inter-institutional and international relations

4.1. Council of Europe bodies

4.1.1. Committee of Ministers

40. The Committee of Ministers is an integral part of the Charter's monitoring system (Articles 15 and 16). This is the body that carried out the 2018 reform (see section I – *Monitoring the application of the European Charter for Regional or Minority Languages*) in response to the problems encountered in monitoring, as provided for in Part IV of the Charter – *Application of the Charter*.

41. Between 2018 and 2020, the Committee of Ministers adopted, at the level of the Ministers' Deputies, 20 recommendations to the States Parties to the Charter, as mentioned and hyperlinked above in section I.2.a. The Ministers' Deputies also elected or re-elected 12 members of the Committee of Experts, including seven new members recognised as experts in the following States: Armenia, Denmark, Serbia, Slovak Republic, Slovenia, Spain and Ukraine as well as five former members of the Committee nominated by the following

6. At present time, the Republic of Moldova is the first country in Europe to use Yiddish in the public space.
7. France has been a signatory of the Charter since 1999.
8. Croatia has been a Party to the Charter since 1998.
9. In Aragonese, Aranese, Basque, Catalan, Croatian, English, French, Frisian, Friulian, Galician, German, Hungarian, Italian, Ladin, Spanish and Ukrainian.
10. Italy has been a signatory of the Charter since 2000.

states: Cyprus, Czech Republic, Luxembourg, Montenegro and Sweden. Fully constituted, the Committee of Experts consists of 25 experts, including legal and sociolinguistic experts, and its composition is expected to evolve over time in the light of the reform. The Committee is currently operating with 23 experts, pending future nominations from the United Kingdom and Bosnia and Herzegovina.[11]

42. The Ministers' Deputies have close ties with the Committee of Experts but are fully respectful of its independence when it comes to evaluating the situation in a State. Exchanges of views, notably within the Committee of Ministers Rapporteur Group on Legal Co-operation (GR-J), are frequent and – at any rate – annual. In October 2020, Ambassador Christian Meuwly, Permanent Representative of Switzerland to the Council of Europe, Chair of the GR-J, spoke to the Committee of Experts by videoconference. In November 2020, the Chair of the Committee of Experts, Ms Vesna Crnić-Grotić held an exchange of views with the GR-J.

4.1.2. Parliamentary Assembly

43. Over the years, the Assembly has followed, supported and encouraged the efforts of the Charter's Committee of Experts to promote and better protect regional or minority languages. It regularly asks member states to undertake to become Parties to the Charter and to uphold its fundamental principles and the undertakings selected from Part III of the treaty.[12] Parliamentarians instigate discussions with Charter experts whenever appropriate.

44. In 2018, the Committee of Ministers welcomed Parliamentary Assembly Recommendation 2118 (2018) on the protection and promotion of regional or minority languages in Europe, whereby the Assembly supported the Organisation's efforts to give fresh impetus to the Charter. The Committee of Experts took this recommendation on board when considering what measures to suggest with a view to strengthening the Charter's monitoring mechanism (see I.1 above). The Assembly also contributes to the organisation of round tables or seminars in members' home countries, whether they are Parties to the Charter or not (see section II above).

4.1.3. Congress of Local and Regional Authorities

45. Guided by the principles of democratic participation, cultural diversity and social cohesion, the local and regional elected representatives of the Congress of Local and Regional Authorities endeavour to impress upon all national, European and international stakeholders the need to ensure that Europe's linguistic heritage is preserved, not least through wider acceptance of the Charter. The Congress explicitly called for this in its Recommendation 410 (2017) on regional and minority languages in Europe today. In 2018, under the Croatian Chairmanship, which included the Charter among its priorities, the Committee of Ministers stated in its reply to the Congress[13] that it shared that view. The Congress took up the idea in Recommendation 441 (2019).

4.1.4. Other anti-discrimination and monitoring bodies

46. The Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI), set up in 2020 to strengthen the intergovernmental sector and as the Council of Europe's response to racism, xenophobia, hate speech and discrimination, advises the Committee of Ministers on *inter alia*, all matters relating to discrimination on the grounds of language. Its objectives include safeguarding the rights of persons belonging to national minorities and the use of regional or minority languages. From the outset, the experience and conclusions of the Charter's Committee of Experts were taken on board by the CDADI when preparing the study entitled COVID-19: an analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member States (Strasbourg, November 2020).

47. The Committee of Experts has long maintained regular contact with the Advisory Committee of the Framework Convention. Co-operation between the two monitoring bodies is made all the easier as, since May 2020, the secretariats of the two committees have been operating together within the same administrative entity of the Council of Europe's Directorate General II – Democracy. The new Division of National Minorities and Minority Languages is part of the Anti-Discrimination Department in DGII, which also includes the European Commission against Racism and Intolerance (ECRI).

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11. Composition of the Committee of Experts of the Charter.
12. In their ratification instruments, States undertake to apply at least 35 of the 68 provisions, for each language protected under Part III.
13. CM/Cong(2018)Rec410-final.

48. The process of creating synergies between the three Council of Europe anti-discrimination monitoring bodies was launched by the Director General of Democracy, Ms Snežana Samardžić-Marković, in January 2018 when she met in Strasbourg with members of the Bureaux of the Committee of Experts of the Charter, the Advisory Committee of the Framework Convention and ECRI. Participants discussed follow-up to the conclusions and recommendations produced by the three bodies, and ways to improve their implementation and impact in the member states.

49. Bolstering the monitoring mechanisms of the two anti-discrimination conventions, i.e. the Charter and the Framework Convention, was one of the aims of the high-level conference held under the auspices of the Croatian Chairmanship of the Committee of Ministers in June 2018. The conclusions of this conference[14], which was of major importance for both legal instruments, marking as it did the 20th anniversary of their entry into force, provided the inspiration for the reform of the two monitoring mechanisms. The very tangible benefits for the Charter are summarised above in section I – *Monitoring the application of the European Charter for Regional or Minority Languages*.

50. The Secretary General, for her part, convenes a meeting of the heads of the Council of Europe's monitoring and advisory bodies every year. At the last and eighth meeting in June 2020, the Chair of the Charter's Committee of Experts, Ms Vesna Crnić-Grotić, reiterated that the Charter is the world's only treaty dedicated to the protection and promotion of regional or minority languages. She asked that States Parties be supported in the implementation of the Charter through capacity-building involving all stakeholders of the Charter process: authorities, minority language speakers and the Council of Europe.

51. Assistance to member states also takes other forms, such as legal opinions from the European Commission for Democracy through Law (the Venice Commission). Where language issues are concerned, the Venice Commission provides legal assistance to the national authorities to advise them on their legislation in relation to commitments under the Charter and other relevant Council of Europe instruments.[15]

4.2. International organisations and European Union institutions

52. As a reference treaty on minority languages, the Charter monitoring mechanism is of interest to the United Nations. Exchanges of information take place, for example, between the Charter secretariat and the Office of the High Commissioner for Human Rights or UNESCO. In July 2019, for example, Ms Irmgarda Kasinskaite-Buddeberg of the UNESCO secretariat spoke at a meeting of the Committee of Experts in Strasbourg about recent developments at UNESCO regarding the protection of indigenous languages. She mentioned in particular the drafting of UNESCO recommendations on language issues, the fourth consolidated report on indigenous languages, the UNESCO Atlas of the World's Languages, the International Year of Indigenous Languages (2019) and the upcoming Decade of Indigenous Languages starting in 2022. The 2022-2032 Decade having been proclaimed in February 2020, the Committee of Experts could both contribute to and benefit from this, especially as the focus is to be on the human rights of speakers.

53. As regards relations with the European Union, assistance to States preparing for ratification of the Charter (legal advice, capacity-building, awareness-raising) is provided under joint programmes between the EU and the Council of Europe. In addition to its very important financial support for the joint programmes, the EU raises the issue of Charter ratifications in its bilateral relations with States that have not yet ratified the Charter and are not in the EU. EU assistance to Council of Europe member states in relation to regional or minority languages is described above in section II. As far as non-member states of the Council of Europe are concerned, under the joint programme *Protecting minorities and minority languages in Georgia, Moldova and Belarus* (2018), co-operation with the Belarusian authorities on the identification of cultural sites related to the cultural heritage of national minorities (e.g. synagogues or churches) has been carried out with a view to raising awareness of the cultural contributions made by these groups.

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14. Conference file.

15. cf. CDL-AD(2019)032: Ukraine – Opinion on the Law supporting the Functioning of the Ukrainian Language as the State Language, adopted by the Venice Commission at its 121st Plenary Session (Venice, 6-7 December 2019); CDL-AD(2017)030-e: Ukraine – Opinion on the provisions of the Law on Education of 5 September 2017, which concerns the use of the State Language and Minority and other Languages in Education, adopted by the Commission at its 113th Plenary Session (Venice, 8-9 December 2017); CDL-AD(2019)033-e – North Macedonia – Opinion on the Law on the use of languages, at 121st plenary session in Venice in December 2019.

4.3. Non-governmental organisations in member and non-member states

54. The Committee of Experts has particularly close relations with three major organisations active in the field, namely the Federal Union of European Nationalities (FUEN), the Network to Promote Linguistic Diversity (NPLD) and the European Language Equality Network (ELEN).

55. At its Congress in Bratislava, Slovak Republic, from 12 to 14 June 2019, FUEN celebrated its 70th anniversary; the organisation was established in tandem with the Council of Europe in 1949 and currently enjoys participatory status with the Council. Representatives of the Parliamentary Assembly's Sub-Committee on Minority Rights and the Charter secretariat participated in the FUEN Congress discussions on the future of the protection of national and linguistic minority rights in Europe. The Charter's new monitoring system was also presented and discussed at the Congress.

56. Co-operation with the NPLD is varied and supports the activities of the Council of Europe. On 24 May 2018, for example, the Charter secretariat participated in a high-level conference held by the NPLD in Valencia, Spain, entitled *Towards a multilingual world: the value of teaching and learning heritage, home and regional languages at an early age*. During the conference, a discussion was held with the Spanish regional authorities responsible for language policies. The Chair of the Charter's Committee of Experts, Ms Vesna Crnić-Grotić, together with a representative of the Charter secretariat, were among the hundred or so people who attended the first NPLD-Coppieters Campus on Planning and Evaluation of Language Policies in Udine on 12-13 September 2018. Among other issues, the linguistic situation in Italy and the prospects for Italy's ratification of the Charter were discussed. The NPLD and the Council of Europe organised, on 27 September 2019, a meeting at the Council of Europe office in Brussels to mark European Day of Languages. The main objectives were to celebrate the Day and to discuss the implementation of the Charter and the changes in the functioning of the Charter's monitoring mechanism. The NPLD also played a part in developing and publicising the Committee of Experts' Educational Toolkit – Classroom activities. Lastly, a joint declaration was published in 2019 and 2020 by the NPLD and the Committee of Experts to mark European Day of Languages (see Appendix 6 for the 2020 Declaration).

57. ELEN has regular dealings with the Committee of Experts, including reporting on the status of regional and minority languages in Europe and in certain countries, facilitating contacts with national NGOs in connection with on-the-spot visits. On 23 October 2020, the Head of the National Minorities and Minority Languages Division of the Council of Europe together with the UN Special Rapporteur on Minority Issues participated in an exchange of views with the ELEN Steering Committee on the impact of the COVID-19 pandemic on regional or minority languages.

5. Challenges to be addressed by 2024

58. The smooth functioning of the Charter's monitoring mechanism was the primary objective of the reform. The mechanism has, however, encountered a few problems in the context of the COVID-19 pandemic. Still, despite the challenging conditions, within the space of a year, from July 2019 to August 2020, the Committee of Experts managed to review the commitments of 11 States Parties and the Committee of Ministers adopted six new Recommendations. Eight new evaluation reports by the Committee of Experts were made public immediately after they were adopted. In addition, the report on the United Kingdom was published in 2020. Two States Parties requested a confidential dialogue that led to some minor factual changes to the relevant reports and their publication, in final form, within a short time frame in line with the reform. Some reports prepared following on-the-spot visits and prior to lockdowns in various countries were able to be adopted under written procedure, something the Committee of Experts had never used before.

59. The challenge now is to ensure the sustainability and effectiveness of the reformed system, through co-operation activities to follow up on the recommendations adopted. To this end, the Charter sector will have more resources in 2022-2023 with which to work through the backlog of on-the-spot visits and follow-up activities.[16] To date, five visits – to Cyprus, Norway, Poland, Serbia and Ukraine – are overdue, and on top of these, there will be other periodic reports. Round tables should also be held on the implementation of the recommendations of the Committee of Ministers and the Committee of Experts of the Charter. This would contribute to a better understanding of the measures requested in the monitoring cycles. The Council of Europe Secretariat could play a more active role in promoting the actual implementation of the Charter's provisions by its States Parties. Co-operation projects targeting the main problems identified by the

16. See footnote 2 above – 2020 CM/Del/Dec(2020)1391/11.7 – Exceptional measures for monitoring mechanisms with on-site visits. A report on the implementation of the exceptional measures approved in December 2020 will have to be submitted to the Committee of Ministers at the end of 2023.

Committee of Experts could be offered to all States Parties as soon as the evaluation report on them is published. Such projects should include speakers of regional or minority languages and become a regular feature of the monitoring mechanism.

60. The question arises as to whether the interpretation of certain provisions of the Charter should be reconsidered in light of the transformations under way, such as digitisation in the fields of education, administration and public services, the media and culture. The Committee of Experts has already started working on this, with the publication in 2019 of a specific report on new technologies and the Charter.[17] With the move to online teaching at every level of education, in response to the COVID-19 pandemic, the Committee of Experts has set up a special working group on a new reading of Article 8 of the Charter – *Education* and its method of monitoring compliance with undertakings given in relation to this key article of the Charter. Both subjects are highly topical and could be of interest to national parliaments in the member states. Debates on the place of regional or minority languages amid the exponential growth of information and communication technologies and artificial intelligence in education, media, culture, public administration and economic and social relations could be organised both in national parliaments and in the Parliamentary Assembly itself.

61. The protection of minorities and their traditional languages is guaranteed at European level exclusively by the Council of Europe. National minority issues are part of the fundamental values of the EU and, hence too, the Copenhagen criteria to be met prior to accession to the EU. However, the EU has no general legislative competence in this area. European citizens have availed themselves of the opportunity afforded by Article 11.4 of the Treaty on European Union (TEU)[18] and applied to the European Commission with a European Citizens' Initiative (hereinafter “ECI”) entitled Minority SafePack – One million signatures for diversity in Europe (minority-safepack.eu). In January 2021, however, the European Commission rejected, for the second time, the proposals contained in the ECI. It considered that proper implementation of existing legislation and policies in EU countries, in keeping with the principles of subsidiarity and proportionality, would accomplish the ECI's objectives of strengthening the EU motto "United in Diversity" through the protection of national and linguistic minorities in Europe. In its reply, the European Commission also referred to the Charter and the Council of Europe’s role in this field.

62. Today, the Charter remains the only legally binding instrument that protects regional or minority languages in Europe. The Council of Europe Secretariat will continue its efforts to support the Committee of Experts in its monitoring activities and dialogue with the States. It will work with the EU, the OSCE, the UN agencies and NGOs, such as ELEN, FUEN or the NPLD, to strengthen the Charter’s place in the international system and pursue its objectives on a pan-European level.

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17. Jones E.H.G., Lainio J., Moring T. and Resit F. (2019), European Charter for Regional or Minority Languages. New technologies, new social media and the European Charter for Regional or Minority Languages, Council of Europe, Strasbourg.

18. “Not less than one million citizens who are nationals of a significant number of member states may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing of implementing the Treaties.” Official Journal of the European Union, C 326/21 of 26 October 2012.

Appendix 1 – Brief overview of the Charter and the situation regarding signature and ratification

The European Charter for Regional or Minority Languages is a convention designed to protect and promote States Parties' traditional minority languages and enable speakers of these languages to use them in both private and public life. It requires States Parties to actively promote the use of regional or minority languages in education, courts, administration, media, culture, economic and social life, and cross-border co-operation.

The Charter goes beyond minority protection and anti-discrimination, requiring its States Parties to take active promotional measures for the benefit of minority languages. The Council of Europe ensures that the Charter is implemented in practice and regularly monitors the commitments made by the States Parties.

By imposing promotional obligations on States, the Charter complements the individual rights of minority language speakers arising from national and international minority protection. These provisions seek to give momentum to the implementation of minority rights in daily life. Together with the Framework Convention for the Protection of National Minorities, the Charter constitutes the Council of Europe's commitment to protect national minorities.

The Charter is based on an approach that fully respects national sovereignty and territorial integrity. It does not conceive the relationship between official languages and regional or minority languages in terms of competition or antagonism. Development of the latter must not obstruct knowledge and promotion of the former.

Regional or minority languages are part of Europe's cultural heritage and their protection and promotion contribute to the building of a Europe based on democracy and cultural diversity. The Charter applies to 79 regional and minority languages, territorial or non-territorial languages and less widely used official languages. It covers only the languages traditionally used within a State's territory, not those connected with recent migratory movements or dialects of the official language.

Drawn up on the basis of a text put forward by the Standing Conference of Local and Regional Authorities of Europe, now the Congress of Local and Regional Authorities, the Charter was adopted as a convention open for accession by non-member states of the Council of Europe (ETS No. 148) on 25 June 1992 by the Committee of Ministers of the Council of Europe. The Charter was opened for signature on 5 November 1992 and has been in force since 1 March 1998.

To date, the following 25 States have ratified the Charter (listed in alphabetical order): Armenia, Austria, Bosnia and Herzegovina, Croatia, Cyprus, the Czech Republic, Denmark, Finland, Germany, Hungary, Liechtenstein, Luxemburg, Montenegro, the Netherlands, Norway, Poland, Romania, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom. In addition, the Charter applies in the Isle of Man, an official British Crown dependency. Eight Council of Europe member states have signed the Charter: Azerbaijan, France, Iceland, Italy, Malta, North Macedonia, Republic of Moldova, and the Russian Federation. Six States undertook to ratify the Charter at the time of their accession to the Council of Europe: Albania, Azerbaijan, Georgia, North Macedonia, Republic of Moldova and the Russian Federation.

Appendix 2 – Decisions of the Committee of Ministers on the 2018 reform, including the 2020-2024 periodical reporting schedule

as adopted on 28 November 2018 at the 1330th meeting of the Ministers' Deputies

(point 10.4.e "Strengthening of the monitoring mechanism of the European Charter for Regional or Minority Languages")

The Deputies, having consulted the Committee of Experts of the European Charter for Regional or Minority Languages (ETS No. 148, hereafter "the Charter"), and noting that there is consensus among the States Parties to the Charter on the changes to be made in the operation of its monitoring mechanism,

1. decided as follows with effect from 1 July 2019:

a. the Parties shall present every five years periodical reports on the implementation of the Charter and two and a half years thereafter information on the implementation of a limited number of recommendations, if any, namely only those that have been identified by the Committee of Experts in its evaluation report as being for immediate action;

b. while emphasising that the Charter and the Framework Convention for the Protection of National Minorities (ETS No. 157, hereafter "the Framework Convention") have distinct aims and purposes and that they remain two separate instruments, giving rise to distinct obligations, with separate monitoring mechanisms and expert committees, the Parties to the Charter which are also Parties to the Framework Convention shall present their periodical reports on the Charter and on the Framework Convention by the dates set out in the Appendix. During a transition period of five years starting from the date the present decisions take effect, information on recommendations for immediate action from the Committee of Experts' evaluation report shall be presented by the dates set out in the Appendix;

c. if a Party has not presented its periodical report or, where relevant, information on the implementation of the recommendations for immediate action five months after the due date and where two reminders have been made by the Secretariat General, the Chair of the Deputies shall address a letter to the Party concerned inviting it to submit the report or information without further delay;

d. the Committee of Experts is authorised to submit a proposal to the Deputies regarding the commencement of the monitoring of the Charter without a periodical report when a Party is more than twelve months behind in submitting a report, together with the information received from this Party concerning the reasons for the delay. In so doing, the Committee of Experts shall invite the Deputies to take a decision on the matter without a debate, unless at least one delegation requests that the matter be discussed;

e. a Party may submit comments on the Committee of Experts' evaluation report within two months of its transmission. In these comments, the Party may ask the Committee of Experts for a confidential dialogue, which functions according to rules established by the Committee of Experts. Where the Party does not ask for a confidential dialogue, the evaluation report, together with any comments received from the Party, becomes public upon expiration of the two-month deadline where the Party does not submit comments, or upon receipt of the Party's comments, whichever is the earlier date;

f. in the event that a confidential dialogue has taken place, the Party may submit possible further comments within two months of the transmission of the final evaluation report, which becomes public upon receipt of any such comments from the Party, or following the expiration of the two-month deadline, whichever is the earlier date. Any such comments received from the Party become public together with the evaluation report;

2. decided that members of the Committee of Experts appointed for the first time on or after 1 July 2019 shall be eligible for reappointment once. As a transitional rule, the members in office on that date may be appointed to serve another term; the term of members in office on that date who are completing their predecessor's term shall be extended to a total period of six years;

3. encouraged wider use of the Committee of Experts' rapid reaction capacity and ad hoc missions, as foreseen in its Rules of Procedure, and encouraged the Committee to keep the pertinent rules under review;

4. noted that the reflection document "Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages" (CM(2018)165) provided useful background information to the present decisions.

Alignment of periodical reports on the European Charter for Regional or Minority Languages (ECRML) and on the Framework Convention for the Protection of National Minorities (FCNM) and information on the implementation of recommendations for immediate action under the Charter (2020-2024)

STATE PARTY	2020	2021	2022	2023	2024
Armenia		1-May*[19]			1-May
Austria	1-Oct			1-Apr	
Bosnia and Herzegovina		1-Jun		1-Dec	
Croatia	1-Mar*			1-Mar	
Cyprus		1-Dec*			1-Feb
Czech Republic	1-Mar*			1-Mar	
Denmark	1-Jan*			1-Jan	
Finland	1-Mar*			1-Mar	
Germany		1-Jul			1-Jan
Hungary	1-Mar*			1-Mar	
Liechtenstein	1-Mar*			1-Mar	
Luxembourg		1-Oct			1-Apr
Montenegro			6-Jun		6-Dec
Netherlands		1-Jun		1-Dec	
Norway	1-Jul			1-Jan	
Poland			1-Jun		1-Dec
Romania		1-May*			1-Feb
Serbia			1-Sep			1-Mar 25
Slovak Republic		1-Jan*			1-Jan
Slovenia	1-Jan*			1-Jan	
Spain	1-Aug*			1-Aug	
Sweden		1-Jun		1-Dec	
Switzerland	1-Dec			1-Jun	
Ukraine			1-Jan*		1- May
United Kingdom	1-Jul*			1-Jul	

Date ►Dates for submission of ECRML information on implementation of recommendations for immediate action

Date ►Dates for submission of ECRML and FCNM periodical reports

Date ►Dates for submission of ECRML periodical report

Date ►Dates for submission of FCNM periodical report and of ECRML information on implementation of recommendations for immediate action

* [19] This date replaces the date for submission of the Language Charter periodical report provided such a report was submitted in 2017, 2018 or first half of 2019. Otherwise, a periodical report should be submitted by this date.

Appendix 3 – Recommendations for immediate action by the States Parties in the evaluation reports published from 2018 to 2020 – country overview

i. ARMENIA (fifth report MIN-LANG[19](2020) 3): provide teaching in/of Assyrian as well as well as Greek and Kurdish up to secondary level; introduce broadcasting of television programmes in Assyrian, Greek and Kurdish on a regular basis; promote the adoption of place names in Assyrian, Greek and Kurdish in accordance with the script and spelling of these languages; provide support for Sunday schools which teach German and Ukrainian;

ii. AUSTRIA (fourth report CM(2018)38): provide financial support for Burgenland-Croatian, Hungarian and Slovenian, include them in the curriculum of German-medium schools; ensure publication by local authorities of their official documents in Burgenland-Croatian; grant promotional funds for Romani; amend the Private School Act with a view to ensuring the sustainability of the Komenský School which is important for the Slovakian language;

iii. CROATIA (sixth report MIN-LANG(2019)18): introduce Boyash Romanian in pre-school and primary education (Model C) in the counties of Međimurje and Osijek-Baranja, German in municipalities where the German minority association is active, e.g. Đakovo, Sirač, Vukovar and Zagreb, Istro-Romanian in the municipalities of Kršan and Matulji; translate textbooks into Italian; train teachers of Slovenian; introduce broadcasting of television/radio programmes in Boyash Romanian, Czech, German, Hungarian, Italian, Ruthenian and Ukrainian on a regular basis and of sufficiently long duration; use Czech, Hungarian, Ruthenian, Slovakian and Ukrainian in the municipalities where speakers of these languages live; ensure official use of Serbian and its script in regional and local authorities; develop and implement a strategy to safeguard Istro-Romanian as a living language;

iv. CYPRUS (fifth report CM(2018)34): provide teaching of Armenian and Cypriot Maronite Arabic up to secondary level; train teachers; develop and produce teaching materials in Armenian and Cypriot Maronite Arabic for use in pre-school, primary and secondary education; broadcast radio and television programmes in Maronite Arabic, including for children;

v. CZECH REPUBLIC (fourth report CM(2019)73): examine, in co-operation with the speakers, ways of introducing Romani into mainstream education; identify forms and means, including new media, for the revitalisation of Moravian Croatian; reconsider the thresholds for installing Polish place names and topographical signs;

vi. FINLAND (fifth report CM(2018)114): make the funding for the promotion of Inari Sámi, North Sámi and Skolt Sámi sustainable, and implement several other recommendations concerning these three languages; increase awareness vis-à-vis Karelian; develop an adequate and sustainable model of teaching in and/or of Romani; increase awareness and tolerance vis-à-vis Russian; ensure that the linguistic rights of Swedish speakers are preserved and increase tolerance vis-à-vis Swedish in the general public;

vii. GERMANY (sixth report CM(2018)142): offer radio and television programmes in Danish on a regular basis; provide teaching of Upper and Lower Sorbian; teaching of Romani, Low German, Sater Frisian and in/of North Frisian; introduce broadcasting of television programmes in North Frisian on a regular basis;

viii. HUNGARY (seventh report CM(2019)86): train teachers and promote the teaching of German, Armenian, Boyash, Croatian, Greek, Romani, Serbian, Slovakian, Slovenian and Ukrainian; promote bilingual Croatian-, German-, Romanian-, Serbian-, Slovakian- and Slovenian-Hungarian education at different levels of education; extend the duration of public television and radio programmes in Boyash and improve the time slots; train journalists and other media staff using Serbian;

ix. LUXEMBOURG (fifth report CM(2019)93[20]): no recommendations to the authorities because no regional or minority languages are spoken in Luxembourg;

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19. The evaluation reports with the reference MIN-LANG were published after the entry into force of the reform on 1 July 2019, it being understood that the reform allows the Committee of Experts of the Charter to publish its evaluations before they are examined by the Committee of Ministers.

20. The Committee of Ministers made public the evaluation report on Luxembourg on 19 June 2019 without adopting any recommendations. At the same time, they commended the Luxembourg authorities on the way in which they had continued to demonstrate European solidarity vis-à-vis the Charter (see above footnote No 3).

x. MONTENEGRO (fifth report MIN-LANG(2020)1): intensify contacts with Romani speakers in order to introduce their language into formal education and train teachers; make adequate teaching material available in Romani; introduce Romani in equal and official use in those local self-government units where the Romani speakers have their highest (relative or absolute) concentration;

xi. NETHERLANDS (sixth report MIN-LANG(2019)15 final): increase the number of teaching hours of and in Frisian at primary level as well as the number of secondary schools with Frisian in their curricula; make the study of Low Saxon available at university; intensify contacts with speakers of Romanes; establish closer contacts with the community of Yiddish speakers in order to safeguard the cultural heritage of the Netherlands related to Yiddish;

xii. NORWAY (seventh report CM(2018)88-final): adopt and implement national and regional action plans for Finnish and Kven, in particular in education and broadcasting; encourage the use of Lule Sami and South Sami in education, media, cultural activities and social care facilities; ensure that all official registers support Sami characters; eliminate any unjustified distinction, exclusion, restriction, or preference relating to the use of Romani or Romanes and encourage the use of spoken and written Romani and Romanes in education, media as well as in cultural activities according to the principles of respect and tolerance;

xiii. ROMANIA (second report CM(2018)4[21]): reconsider the thresholds for official use of minority languages in administration; provide basic and further training for a sufficient number of teachers to fully implement the undertakings in the field of education with regard to the Bulgarian, Czech, Croatian, German, Hungarian, Romani, Russian, Serbian, Slovakian, Turkish and Ukrainian languages; develop comprehensive educational models for the teaching in/of Tatar and Turkish, in co-operation with representatives of the minority language speakers; continue to develop comprehensive provision in terms of teaching in/of Romani, taking account of the needs and wishes of Romani speakers;

xiv. SERBIA (fourth report CM(2018)144): extend the provision of education in Bosnian, Bunjevac, Czech, German, Macedonian, Romani, Ukrainian and Vlach; take organisational measures so that speakers of Albanian, Bosnian, Bulgarian, Croatian, Hungarian, Romanian, Ruthenian and Slovakian can submit oral or written applications in those languages to local branches of the national authorities; introduce measures to encourage Hungarian speakers to use this language in criminal and civil proceedings as well as in proceedings concerning administrative matters; make provision so that RTV Serbia and/or private stations offer radio and television programmes in Albanian, Bosnian, Bulgarian and Croatian; facilitate the adoption of place names in Romanian;

xv. SLOVAK REPUBLIC (fifth report CM(2019)126): extend the teaching of Croatian, German, Hungarian, Polish, Romani and Ruthenian; apply Article 10 (administrative authorities and public services) to Bulgarian, Croatian and Ruthenian, irrespective of thresholds; improve public signage in Croatian, German, Hungarian, Polish and Ruthenian;

xvi. SLOVENIA (fifth report MIN-LANG(2019)17final): recognise Croatian, German and Serbian as traditional minority languages, initiate a dialogue with speakers of those languages with a view to implementing Part II of the Charter and promote awareness of those languages as an integral part of the cultural heritage of Slovenia in mainstream education and in the media; strengthen the system of bilingual education in Slovenian and Hungarian; increase the duration and frequency of broadcasting in Hungarian; ensure sufficient resources for the provision of radio and television programmes in Italian at least at the present level; start teaching Romani as a subject and develop a scheme for the training of teachers able to teach Romani;

xvii. SPAIN (fifth report CM(2019)125): amend the Organic Law on the Judiciary so as to ensure the use of Basque, Catalan, Valencian/Catalan and Galician in judicial proceedings when requested by one of the parties; include the different minority languages in the Statutes of Autonomy of the Autonomous Communities where these languages are spoken; use of Basque in State administration in the Basque Country and in the Foral Community of Navarre, of Catalan in the Balearic Islands and Catalonia, of Valencian/Catalan in the Valencian Community, and of Galician in Galicia; facilitate the teaching of Galician and Aranese; provide protection for Galician-Asturian in the Eo-Navia region, for Galician and Leonese in Castile and León, for Fala/Galician in Extremadura, and for Amazigh in Melilla; revitalise Portuguese in Extremadura, particularly in the field of education;

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21. This is the most recent report on the situation regarding regional or minority languages in Romania as adopted by the Committee of Experts in June 2017, five years after the first evaluation report. It was published by the Committee of Ministers in 2018. The second report does not contain any recommendations for immediate action as such. Accordingly, the Committee of Ministers' recommendations are reproduced here *in extenso*.

xviii. SWEDEN (seventh report MIN-LANG(2020)4): take action and report on any steps taken to implement the proposals of the inquiry on national minority languages at school, in co-operation with Finnish, Meänkieli, Romani, Sami and Yiddish speakers; develop a structured policy concerning teacher training at all education levels, for the aforementioned languages; report on the establishment of the Language Centres for the Finnish, Meänkieli and Sami languages; extend the grounds set out in the Discrimination Act so as to explicitly cover discrimination based on language; create and implement the action plan for the promotion of the Romani and Yiddish languages;

xix. SWITZERLAND (seventh report MIN-LANG(2019)10): promote the use of Italian in the cantonal administration of Graubünden/Grischun/Grigioni; adopt cantonal and/or local legislation on the public use of French and German in the municipalities where French and German are minority languages; ensure that, in the case of mergers of municipalities, local legislation and practice relating to German are maintained or introduced;

xx. UKRAINE (third report CM(2017)97[22]): adopt, for each language, a structured approach to the implementation of the undertakings chosen under the Charter, in co-operation with the respective speakers; develop and implement, for each Part III language, a comprehensive policy for teaching in/of these languages at all levels of education; extend and strengthen the provision of radio and television broadcasts in the Part III languages; ensure that the Part III languages can be used in practice in the field of administration; promote the adoption and use of traditional and correct forms of place names in the minority languages; secure long-term financial support for cultural facilities in order to provide stability for cultural activities in minority languages; take resolute action to promote Romani in order to safeguard it;

xxi. UNITED KINGDOM (fifth report CM(2019)84-final): devolve responsibility and provide funding to the County of Cornwall and Cornwall Council for the promotion of Cornish; adopt a comprehensive law and a strategy on the promotion of Irish in Northern Ireland; provide basic and further training for a sufficient number of teachers teaching in Irish; promote the Scots language.

Total number of reports published

– 2018 – 8 - Austria, Cyprus, Finland, Germany, Norway, Romania, Serbia, Ukraine;

– 2019 – 9 - Croatia, Czech Republic, Hungary, Luxembourg, Netherlands, Slovak Republic, Slovenia, Spain, Switzerland;

– 2020 – 8 including

  - 4 evaluation reports – Armenia, Montenegro, United Kingdom, Sweden;

  - 4 first reports providing information on the implementation of the recommendations for immediate action: Czech Republic (MIN-LANG(2020)7); Denmark (MIN-LANG(2020)13); Finland (MIN-LANG(2020)12); Hungary (MIN-LANG(2020)14)

22. Evaluation report adopted by the Committee of Experts in March 2017, but Recommendation of the Committee of Ministers adopted and made public in December 2018. The third report contains no recommendations for immediate action as such. Accordingly, the Committee of Ministers' recommendations are reproduced here *in extenso*.

Appendix 4 – Statement of the Chair of the Committee of Experts on the utmost importance of Communication in Regional or Minority Languages in global medical crises

as adopted at the plenary meeting by videoconference on 3 July 2020

"Most countries in the world, including the Member States of the Council of Europe, are facing an unprecedented pandemic, the so-called coronavirus, or COVID-19. For a few weeks now, governments have been introducing, gradually and at different paces, a wide range of measures, ranging from basic hygiene recommendations to partial or total confinement of their populations.

Relevant authorities at national, regional or local level and medical experts are all reiterating that only by a strict compliance with the measures proposed, will the further spread of the COVID-19 be controlled.

While welcoming the steps taken, it has to be noted that countries have not systematically shared the information, instructions, guidelines or recommendations in languages other than the official language of the country. This also concerns the traditional regional or minority languages spoken in the respective countries. The communication of relevant recommendations in these languages is of utmost importance for the well-being of the speakers of regional or minority languages.

It is important, and authorities should not forget, that national minorities are an integral part of their societies and in order for the measures adopted to have full effect, they should be made available and easily accessible to the whole population.

While the above should be considered as a requirement for the Council of Europe Member States that have ratified the European Charter for Regional or Minority Languages – ECRML – (notably the provisions concerning health care and public administration), other Council of Europe Member States should strongly consider addressing their nationals in all the languages traditionally spoken in their countries.

In addition, some states have resorted to online teaching or teaching through the medium of TV. In most cases, however, teaching is limited to the official language(s), not considering the needs of the pupils who usually receive education in regional or minority languages. This approach can be considered not only contrary to the Charter's undertakings but also discriminatory.

Through this message, the Committee of Experts of the ECRML would like to invite states to take language-related issues into account when developing further policies and instructions to address this exceptional medical crisis."

Vesna Crnić-Grotić

Chair of the Committee of Experts of the European Charter for Regional or Minority Languages

Appendix 5 – Committee of Experts statement on Regional or Minority Languages in online education in the context of the COVID-19 pandemic

as adopted at the plenary meeting by videoconference on 3 July 2020

Online learning has the potential to provide diverse groups of people the opportunity to participate in education at various levels. Regional or minority language speakers may take a course online for a variety of reasons such as being in lockdown because of a health crisis, emergency or conflict situation, living in a remote area where face-to-face classes are not easily accessible or are not organised because of a lack of teachers or insufficient number of children, having an itinerant lifestyle, following a busy work schedule, or simply wishing to improve personal skills. Teaching in or of regional or minority languages is part of the educational obligations of Council of Europe member states party to the European Charter for Regional or Minority Languages (ECRML).

Successful online teaching of regional or minority languages or various school subjects in those languages requires changes in teaching methods as compared to face-to-face classroom activities, with a view to keeping learners truly motivated and engaged. Both educators and learners are expected to be innovative and creative, and to become even more active participants in educational processes. In the opinion of the ECRML Committee of Experts, states parties to the Charter should develop comprehensive strategies for distance education, to complement physical courses in and of regional or minority languages, especially for children and young people at the age of compulsory education for whom school has strong social interaction and integration dimensions. Such a strategy should ensure basic and further teacher training in order to familiarise teachers with pedagogically sound methods for effective online teaching. State authorities should build the capacity of all stakeholders to create conditions for open access and use of online learning tools as well as quality contents in regional or minority languages. They should, in particular, take into account the specific needs in terms of IT equipment and the internet access of the most disadvantaged groups of learners.

Open learning and open access

Open learning is an approach to education that represents a real added value for some aspects of the fulfilment of undertakings of every state party to the Charter relating to education at all stages, including adult and continuing education. It seeks to remove all barriers to learning, while continuing to provide learners with a reasonable chance of success in an education and training system responding to their specific needs and wishes in multiple areas of learning. The Committee of Experts therefore notes with interest the ongoing adaptations in education when and where face-to-face learning for regional or minority language speakers cannot be organised for administrative, organisational or health-related reasons.

The alternative schooling put in place during the COVID-19 crisis can be seen as a timely development potentially valid for the future as an option and as a complement to face-to-face education. In this context, and bearing in mind insufficient availability of teaching materials in regional or minority languages noticed during several monitoring cycles, the Committee of Experts would welcome public financing of the development of quality open access textbooks in all languages protected under the Charter. Such textbooks, registered under open licenses, should be made accessible online for the use of pupils, students, teachers and the larger public. They can be distributed in print, open educational resources or audio formats to be downloaded or purchased at little or no cost for the users.

Free access to teaching materials in regional or minority languages can reinforce cross-border co-operation and mutual understanding that are at the core of the Charter. Open access to educational resources, their re-use and re-purpose can call for and enhance open pedagogy used by teachers from various countries. Closer ties can be set up, and better teacher training can be developed for each regional or minority language, for example via MOOCs (Massive Open Online Courses) or specific webinars.

Monitoring online education

The protection and promotion of European linguistic cultural heritage as well as education in or of regional or minority languages as enshrined in the Charter are at the centre of the ECRML Committee of Experts objectives. At each monitoring cycle, the Committee assesses the implementation of Article 7 in every monitored state party as well as, if appropriate, of chosen provisions of Article 8 on education concerning languages protected under Part III of the Charter. The Charter is an evolving legal instrument that can guide further developments in teaching of and in regional or minority languages. Through its monitoring work, the Committee of Experts will promote genuine equality of opportunities in access to education by means of information technologies, and encourage the tolerance and participation of various stakeholders.

Appendix 6 – Statement on the occasion of the European Day of Languages 2020

26 September 2020, Strasbourg/Brussels

The Committee of Experts of the European Charter for Regional or Minority Languages (COMEX) and the Network to Promote Linguistic Diversity (NPLD) join all Europeans in celebrating this remarkable European Day of Languages, mindful of the difficult times through which we are currently living.

Especially now, it is crucial that governments communicate clearly with their populations in their whole linguistic diversity, both as a protective, public health response to the crisis, but also as a reflection of that diversity. To combat exclusion and isolation of communities or individuals, exacerbated during a time of emergency, governments must pursue inclusion all the more. Using regional or minority languages in the public sphere is central to this pursuit.

Across Europe, children are returning to the school following a most disrupted academic year. As they begin learning again, it is vital that the teaching of and in regional or minority languages is not overlooked as governments and schools plan their curricula and make special arrangements in light of the emergency.

These principles and rights are upheld in European institutions which have widely promoted the importance of preserving and promoting our linguistic diversity. The only legally binding instrument worldwide dedicated to the protection and promotion of the most vulnerable languages – the European Charter for Regional or Minority Languages – was adopted in 1992 under the auspices of the Council of Europe. However, and whilst recognising the achievements to date, we note that the progress expected is still far from being reached and the tenets of the Charter are yet to be realised in several Member States. Ratification of the Charter should be given serious consideration in those States which have not yet done so.

On the seventieth anniversary of the European Convention on Human Rights, it is also opportune to recall its Article 14, expressly prohibiting any discrimination based on “language”.

“The use of regional or minority languages in the public sphere is a way of foregrounding the diversity of society and promoting inclusion”, stated Sietske Poepjes, Chair of the NPLD and Vesna Crnić-Grotić, Chair of the COMEX. Both called on the European institutions and national governments to work towards the fullest and utmost application of the objectives, principles and values of the European Charter for Regional or Minority Languages.