

RELEVANCE AND IMPACT OF ARTICLE 7 OF THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES AND ITS IMPLICATIONS FOR THE LANGUAGES OF SPAIN

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Abstract

Article 7 of the European Charter for Regional or Minority Languages (Council of Europe) provides an extraordinary, powerful, legislative framework for the protection and promotion of all minority languages (including non-European), particularly the most vulnerable, which often lack basic national legislation aimed at strengthening them. In this work, we offer a value-based description of the most salient aspects of this article, with a brief reflection on its impact on the minority languages of Spain covered only by the same.

Keywords: European Charter for Regional or Minority Languages; minority languages; language rights

RELEVANCIA E IMPACTO DO ARTIGO 7 DA CARTA EUROPEA PARA AS LINGUAS REXIONAIS OU MINORITARIAS E A SÚA REPERCUSIÓN NAS LINGUAS DO ESTADO ESPAÑOL

Resumo

O artigo 7 da Carta Europea para as Linguas Rexionais ou Minoritarias (Consello de Europa) constitúe un marco lexislativo de extraordinario potencial para a protección e a promoción de todas as linguas minoritarias (mesmo as non europeas), nomeadamente daquelas máis vulnerábeis, que, a miúdo, carecen dunha lexislación doméstica básica orientada a contribuír ao seu fortalecemento. Neste achega ofrecemos unha descrición valorativa dos aspectos máis salientábeis deste artigo, cunha breve reflexión sobre a súa repercusión nas linguas minoritarias do Estado español só cubertas polo citado artigo.

Palabras clave: Carta Europea para as Linguas Rexionais ou Minoritarias; linguas minoritarias; dereitos lingüísticos.

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GALICIAN IN ASTURIAS

GALICIAN IN CASTILE AND LEÓN

GALICIAN (FALA) IN EXTREMADURA

LEONESE IN CASTILE AND LEÓN

PORTUGUESE IN EXTREMADURA

TAMAZIGHT IN MELILLA

VALENCIAN IN MURCIA

1 Introduction

There is a substantial difference between the European Charter for Regional or Minority Languages' (hereinafter, the Charter) Part II (Article 7) and Part III (Articles 8 to 14), which determines the scope for the protection and promotion measures applied to a certain language. Pursuant to Article 3, when a Member State of the European Council ratifies this legal instrument, it must specify the regional or minority languages – including official ones with reduced use throughout the entire State – to which Part III is applicable, and, at the same time, it must indicate which specific commitments from among those appearing in this section are selected for each regional or minority language. This flexibility has been acknowledged as one of the Charter's principle accomplishments, insofar as it allows modulations, rhythms and strategies for protection and promotion in line with the initial situation of each language traditionally present in a given State.¹ Thus, a comparative analysis of the instruments of ratification of the 22 States where the Charter is currently in force and which recognise regional or minority languages covered by Part III, not including Luxembourg, Lichtenstein and Cyprus, reveals a significant degree of variation among States. While in some cases, the level of protection selected is very high (e.g. Finland, Slovenia, Spain, or the United Kingdom), in others it is moderately low (e.g. Bosnia and Herzegovina, Germany, Hungary or Ukraine). However, this flexibility, understood as a degree of latitude for each State when selecting the languages to which Part III is to be applied, cannot go against the principles of the Charter. Thus, as appears in paragraph 42 of the explanatory report, the fact that a State should prefer to not apply the provisions envisaged in Part III to a determined language spoken within its territory implies that the grounds for any such exclusion “must be compatible with the spirit, objectives and principles of the Charter”. For obvious reasons, these motives are rarely made explicit.

In opposition to this flexibility, Part II (Article 7) compulsorily covers all those languages considered regional or minority that are spoken in one or more territories within a State (as well as deterritorialised languages), in accordance with Article 2.1 of the Charter, which in turn remits to Article 1. This transforms Article 7 of the Charter into the linchpin for understanding the scope of public policies aimed at protecting and promoting the socially minority languages in a determined State. This explains why the aforesaid article is defined as the one which establishes the “objectives and principles” that summarise the spirit of the Charter, and it is upon this which the structure set out in Part III is articulated. Accordingly, it is taken for granted that the parties must base their policies and practices on the objectives and principles summarised in Article 7 (Nic Craith, 2006). In short, and in line with the explanatory report, Article 7 constitutes “the necessary framework for the preservation of regional or minority languages” (paragraph 57).²

According to Kloss (1971), from a sociolinguistic perspective, this preservation should be interpreted in terms of both tolerance (private or non-governmental setting) and promotion (public setting):

Article 7.1

- a. Recognition of the regional or minority languages as an expression of cultural wealth.
- b. Respect of the geographical area of each regional or minority language.
- c. The need for resolute action to promote regional or minority languages in order to safeguard them.
- d. Facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life.
- e. Maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State.

¹ For Dunbar (2008: 39), this flexibility represents an opening up to ambiguity and, consequently, a greater interpretation on the part of the Committee of Experts, particularly owing to the “incredible diversity in the situations of the languages to which the charter potentially applies”.

² For Agirreazkuenaga Zigorraga (2006: 114) this indeed is the “hard core” of the Charter. In similar terms we have to interpret the “central *credo*” of Grin (2003: 62).

- f. Provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages.
- g. Provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it.
- h. The promotion of study and research on regional or minority languages at universities or equivalent institutions.
- i. Promotion of appropriate types of transnational exchanges for regional or minority languages used in identical or similar form in two or more States.

Article 7.2

Elimination of any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures is not considered to be an act of discrimination against users of more widely-used languages.

Article 7.3

Promotion of mutual understanding between all the linguistic groups of the country. Respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media.

Article 7.4

Consideration of the needs and wishes expressed by the groups which use such languages when determining policies with regard to regional or minority languages. Establishment of bodies for the purpose of advising the authorities on all matters pertaining to regional or minority languages.

Article 7.5

Application of the principles listed in paragraphs 7.1 to 7.4 to non-territorial languages, in a flexible manner, and respecting the traditions and characteristics of the groups which use the languages concerned.

Article 7 is the only article to which States may make reservations, both at the time of signature and when ratifying the treaty. This is established by Article 21 of the Charter. That said, these possible reservations can be made to paragraphs 2 to 5, but not to paragraph 1, which in itself can be considered a compendium of the Charter or, if one prefers, a mini-Charter. This possibility of making reservations has only been contemplated by Croatia, which, as its instrument of ratification establishes, does not apply Article 7.5, leaving non-territorial languages with no type of protection. In the Croatian case, these languages are German, Slovenian and Romani. In practice, the situation is different, particularly in the case of Romani. Since the initial State reports, measures have been included to protect and promote the language of the Rom community, recognised as a national minority in Croatia. For this reason, in its 4th report, the Committee of Experts invited the Croatian authorities to consider applying Part II of the Charter to the languages spoken by the aforesaid community (in this regard, see paragraph 86 of the aforementioned report³). In 2013, the Croatian authorities informed the Council of Europe of their intention to revoke the reservation included in the instrument of ratification, pursuant to the provisions of Article 21.2. Thus, the 5th State report (2014) now contains information related with the three aforesaid languages, which enabled the Committee of Experts to examine them as languages covered by Part II, pending official confirmation of the withdrawal of the reservation pertaining to Article 7.5.

³ <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806d86e5>

2 Article 7 as a key framework

The significance of Article 7 is easily understood if we take into account that for many European languages, given that they are not covered by domestic legislation, this article is the only legal framework for the protection and promotion thereof. This is especially true for the so-called non-territorial languages, which are often in an extremely vulnerable situation, but it is also true for numerous languages that have historically been established in a specific territory.

All the paragraphs and sub-paragraphs of Article 7 have their relevance; nonetheless, it is reasonable to establish inexcusable priorities for all languages protected exclusively by this article. Among these priorities, we would highlight those appearing in 7.1.a, 7.1.c, 7.1.d, 7.1.f, 7.1.g, 7.2, 7.4 and 7.5, which we will look at here.

Taken as a whole, Article 7.1 establishes three types of actions which need to be addressed jointly and structured coherently: adopting a *policy*, introducing *legislation* and implementing a *practice* (Woehrling, 2005: 106). Unity among the three actions is fundamental. Political willingness is of scant value without legislation, regardless of the fact that specific acts of support may be verified. At the same time, legislating without developing the measures introduced, without proposing a budgetary allocation and without implementing the plan devised, may be formally appropriate, but will be functionally useless. Indeed, for the Committee of Experts, one-off, isolated actions are insufficient, insofar as they rarely achieve satisfactory results. It is true that, in practice, the economic and political circumstances of each historical moment explain the progress made – and setbacks encountered – in protecting and promoting regional or minority languages. The Committee of Experts is far from unfamiliar with this aspect, which acknowledges different rhythms and modulations in the attainment of the objectives set out in Article 7. That being said, these circumstances can never serve as justification for a constraint – and even a clear abandonment – of the commitments acquired through the ratification of the Charter.

Paragraph 7.1.a refers to a fundamental issue which determines all the rest: the recognition of linguistic diversity as an expression of cultural wealth. In this regard, it should be taken into account that the spirit of the Charter is the defence of a European cultural heritage that is under threat; to a much lesser extent, it is concerned with linguistic minorities and the rights thereof. Thus, the Charter considers that promoting regional or minority languages entails acting on a core element of European idiosyncrasy. Although this commitment is normally respected, the Committee of Experts has, on numerous occasions, voiced its concern regarding its non-fulfilment. The most recent of these occasions referred to Slovenia and Spain. In the fourth report on Slovenia (2014, p.10⁴) recognition of a domestic legislative system for German, Croatian and Serbian is urgently called for as an expression of the country's cultural wealth. In the case of Spain, the fourth report (2016⁵) refers explicitly to the pressing need to acknowledge the status of Catalan and Aragonese as languages traditionally spoken in Aragon. We must remember that during the period analysed in this fourth report (2010-2013), the law in force (Law 3/2013), in line with Article 7 of the Statute of Autonomy of Aragon (2007), was entitled “on the use, protection and promotion of the languages and linguistic modalities characteristic of Aragon”. In this regard, in the fifth State report, submitted to the Council of Europe in February 2018⁶, and which covers the period 2014-2016, reference is made to the legislative modification from 2016 which establishes that

Aragonese and Catalan in Aragon, which includes the dialectal varieties thereof, are the characteristic languages and linguistic modalities referred to in Article 7 of the Statute of Autonomy of Aragon of 2007 and Act 3/2013, of 9 May, on the use, protection and promotion of the languages and linguistic modalities characteristic of Aragon.⁷

At the same time, Article 7.1 should be interpreted as a key link for overcoming the stigma from which certain languages suffer owing to the lack of recognition of their status. This occurs with linguistic varieties not recognised as “languages” and which survive subsumed as “dialects” of official languages. A longitudinal

⁴ <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806dba62>

⁵ <https://rm.coe.int/16806f0658>

⁶ <https://rm.coe.int/spainpr5-es-docx/1680788433>

⁷ See López Susín (2015) on the controversy caused by the “legal infra-protection” of the languages in Aragon with the adoption of Law 3/2013.

analysis of the application of the Charter evinces a number of cases of the aforesaid stigma being overcome (Hinton, Huss & Roche, 2018: 4). One such example is that of Kven in Norway, which since 2005 has been acknowledged “as a language in its own right after previously having been considered as a Finnish dialect” (see paragraph 5 of the 6th report on Norway⁸). For Lane & Räsänen (2018), the Charter has been a fundamental factor in this recognition, owing to its impact on the transformation of the official language policies in Norway.

For the Committee of Experts, in paragraph 7.1.c a triple obligation on States must be understood (Woehrling, 2005: 112; Dunbar, 2012: 207): (i) The creation of a legal framework aimed at promoting and protecting regional or minority languages; (ii) the establishment of bodies responsible for the promotion of these languages; and (iii) the provision of suitable financial resources. In other words, it is impossible to conceive a language policy based on emancipatory principles outside a resolute, strenuous, structured and properly financed action in favour of regional or minority languages. Such an action affects all administrations: state, regional and local. This, then, is one of the principal defects with regard to the languages covered only by Article 7. At times, there is a certain legal framework, which is more functionally opaque owing to a lack of suitable economic resources. The clearest cases are Armenia, Bosnia-Herzegovina, Croatia, Montenegro, Serbia and Slovenia. More concerning, perhaps, is the lack of a specific legal framework, such as in the case of Kven in Norway (despite what we have just said), of German and Romani in the Czech Republic, of Karaim and Krimchak in Ukraine, or languages such as Portuguese and Galician in Castile and León, Valencian in Murcia or Arabic in Ceuta, in the case of Spain.

In turn, in the Committee of Experts’ interpretation, paragraph 7.1.d refers to the promotion of languages in settings coinciding with – or very similar to – those covered by Articles 8 to 13: namely, education, justice, administration, the media, cultural activities and economic and social life. This interpretation is fully justified if we take into account that the expression “public life”, which is included explicitly in this paragraph, also appears in the title of Part III of the Charter. In this regard, as Woehrling asserts (2005: 113), “all the sectors covered in Part III belong to ‘public life’”. Accordingly, thus understood, this paragraph is of crucial relevance for those regional or minority languages covered exclusively by Article 7 (see paragraph 62 of the explanatory report). In the current historical phase, it is inconceivable to imagine the future of regional or minority languages without guaranteeing their social standardisation. Without progress in this regard, intergenerational transmission and the use thereof in “private life”, where they are still maintained, will be insufficient. For obvious reasons, in the 21st-century, the argument that these languages are maintained thanks to the effort and commitment of speakers and families is no longer valid. Considering family language policy as the fundamental solution for these languages reveals the loss of centrality of top-down policies and, at the same time, favours the construction of a resilient, neoliberal linguistic subject, who must learn to survive while accepting the “natural” circumstances of his or her language’s “social” exclusion. This is basically a calculated and perverse way of instrumentalising the systematic abandonment that many socially minority European languages are experiencing from public policies, from both state and regional or local levels.

Of all of these “public life” settings, there is little doubt that the education system is the stumbling block on which the viability of regional or minority languages depends. Their historical displacement from this setting has been the principal political decision for articulating their minoritisation. This explains why Article 7.1.f is a resource of cardinal relevance in dignifying linguistic communities that express themselves in regional or minority languages. Guaranteeing teaching and study *in* and *of* the languages in all levels of the education system is a historical demand, not only with the aim of protecting the same, but also, and more relevantly, in strengthening the right of all children to be educated in their own language. And, far from being overcome, this is one of the principal drawbacks in language policy all over the world. According to UNESCO (2016), 40% of the world’s population has no access to education in a language that they understand, with the consequences this has in intensifying discrimination, injustice and poverty. A minimum of six years of education in the first language is recommended (Skutnabb-Kangas, 2017), which is far from the case of many speakers of European regional or minority languages, even for those languages explicitly protected by Part III of the Charter.

⁸ <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806db952>

Paragraph 7.1.g, whose aim is “the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire”, apparently of lesser importance, is destined to be a crucial opportunity for many minority languages. In demographic terms, most minority languages in Europe are currently in a position of population loss, owing to which intergenerational transmission is often not a sufficient guarantee for their maintenance. In addition to strengthening the *reproduction* of the language in the home setting, it is essential to mobilise its *production* with the incorporation of new speakers; i.e. individuals who have learnt the minority language outside of family relationships and who are active users thereof, at times as a language of priority use (Williams, 2005; Ramallo, 2012). In the majority of cases, with no new speakers, the future of minority languages is highly precarious (O’Rourke, Pujolar & Ramallo, 2015).

The relevance of paragraph 7.2 is related with the need to do away with prejudices regarding the maintenance and use of minority languages. The explicit consideration that any action favouring the most vulnerable languages cannot be understood as discrimination against that part of the society which expresses itself in majority languages is an example which legitimises the mobilisation of specific efforts and measures conducive to the emancipation of minority languages, which, in turn, cannot be affected by measures favouring the official languages. In other words, measures favouring regional or minority languages are based on the application of the principle of equality, with all that that entails (Woehrling, 2008).

In turn, paragraph 7.4 addresses an issue which is fundamental, but very infrequently attained in top-down language policy as a technology designed for promotion – and for social control. Even though languages belong to nobody, the needs and desires expressed by those groups which traditionally speak them in a determined territory must be taken into account. However, political action is usually developed in abstract terms, on the basis of a fiction based on an unreal subject in an idealised context. Hence the failure of many of these technologies. The Charter introduces this obligatory provision for those States in which the treaty is in force; even so, according to the Committee of Experts’ report, on very few occasions is the result satisfactory.

Lastly, Article 7.5 has a bearing on the application of the measures set forth in paragraphs 1 to 4 on non-territorial languages,⁹ (present in all States that have ratified the Charter), taking into account the special features of these languages and of their populations – marginalised, segregated and stigmatised as no other group in Europe. More specifically we refer to the Romani languages. In part, the difficulties encountered in making progress in the protection thereof are related with the lack of a generally accepted standard which functions as a legitimated variety, not only among the majority population, but also among the very population which speaks these languages. In the case of Romani, we should remember two ostensibly opposed circumstances: on one hand, of the twenty-five States which ratified the Charter in 2018, ten do not recognise Romani as a minority language; on the other hand, six States have opted to protect Romani, also under Part III of the Charter (Halwachs, Klinge & Schrammel-Leber, 2015).

3 Specific State features

The instrument of ratification constitutes each State’s commitment to the Treaty; i.e., the acceptance of the obligations and the responsibility of implementing the same in all its terms. As has already been stated, to do so the ratification must make specific reference to a list of regional or minority languages used within the State, and the obligations chosen for each one of the same. In the majority of cases, this listing is limited to the languages covered jointly by Parts II and III. However, in some cases explicit reference is made to Article 7. The specific cases are Austria, Finland, Germany, Netherlands, Slovenia, Spain and Ukraine. In the cases of Austria, Germany and the Netherlands, the reference to Article 7 explicitly includes languages covered by the aforesaid article at the time of ratification, irrespective of whether they are protected by Part III of the treaty. On the other hand, the instruments of ratification for Finland and Slovenia establish that, in line with Article 7.5, paragraphs 1 to 4 of Article 7 are applied, *mutatis mutandis*, to Romani and, in the case of Finland, also to other non-territorial languages. With regard to Ukraine, the ratification instrument indicates that Article 7.5 is not applicable: here Romani is considered a territorial language spoken fundamentally in Sub-Carpathian Ruthenia.

⁹ For Halwachs, Klinge & Schrammel-Leber (2015: 37), in a mobile society such as the current one, the criterion of territoriality for defending minority languages is highly questioned and constitutes an anachronism.

The case of Spain is different, insofar as the instrument includes an additional, final clause, which establishes that all the provisions of Part III of the Charter which can reasonably be applied in accordance with the objectives and principles set forth in Article 7 are applicable to all non-official regional or minority languages, but which have statutory protection. In the current situation (2018), this is the case of Aragonese and Catalan in Aragon (Article 7 of the Statutes of Autonomy), of Asturian in Asturias (Article 4 of the Statute of Autonomy), of Leonese and Galician in Castile and León (Articles 5.2 and 5.3 of the Statute of Autonomy, respectively) and Portuguese in Extremadura (Article 71.f of the Statute of Autonomy). Nonetheless, in order for this to be effective, Spain needs to indicate a minimum of 35 paragraphs or sub-paragraphs from Part III for each of the aforesaid languages, as established in Article 2.2. As this has yet to come about, the Committee of Experts does not assess these languages pursuant to the provisions of Part III of the Charter, rather only as languages from Part II, as appears in paragraph 61 of its first report (2005). Accordingly, deciding which paragraphs and sub-paragraphs of Part III must be formally applied to languages not covered by Articles 8 to 14 of the Charter lies outside the Committee of Experts sphere of competence.

A comparison between States highlights relevant differences in the number of languages exclusively protected by Part II of the Charter (Table 1). The typology is varied. For various reasons, not all the States appear in the table. In the case of Bosnia and Herzegovina, Denmark and Poland, the reason is that all regional or minority languages spoken therein are also protected by Part III, which entails a highly commendable commitment, particularly if we take into account that in Bosnia and Herzegovina 17 languages are protected, and in Poland 14. The case of Denmark is less relevant, since this State only recognises German as a regional or minority language. Lichtenstein or Luxembourg also does not appear, since, in accordance with the precepts of the Charter, they have no regional or minority languages.

Table 1. Languages protected only by Article 7

State	Languages (glotonyms used in Expert Committee reports)* ¹⁰
Armenia	German and Ukrainian
Austria	Czech, Slovak and Romani
Croatia	German, Slovenian, Istro-Romanian, Boyash Romanian and Romani
Cyprus	Armenian and Cypriot Maronite Arabic
Czech Republic	German, Moravian Croatian, Romani
Finland	Karelian, Romanian, Russian, Tartar and Yiddish
Germany	Low German (in North-Rhine Westphalia, Saxony-Anhalt and Brandenburg), Romani (except in Hesse)
Hungary	Armenian, Bulgarian, Greek, Polish, Ruthenian and Ukrainian
Montenegro	Bosnian and Croatian
Netherlands	Low German, Limburgish, Romani and Yiddish
Norway	Finnish, Kven, Romanes and Romani
Romania	Albanian, Armenian, Greek, Italian, Macedonian, Polish, Romani, Ruthenian, Tartar and Yiddish
Serbia	German, Bunjevac, Czech, Macedonian and Vlach
Slovakia	Russian, Serbian and Yiddish
Slovenia	German, Croatian, Romani and Serbian
Spain	Tamazight, Ceutan Arabic, Aragonese, Asturian, Caló, Catalan (in Aragon), Galician (in Castile and León and Extremadura), Galician-Asturian (Asturias), Leonese, Portuguese (in Castile and León and Extremadura) and Valencian (in Murcia)
Sweden	Romani and Yiddish
Switzerland	German, French and Yenish
Ukraine	Karaim, Krimchak, Romani and Ruthenian
United Kingdom	Cornish, Manx, Scots (Scotland) and Scots (Ulster)

* 10

10 It should be clarified that the Committee of Experts uses the glotonyms appearing in the reports issued by the States, without

In general terms, these are the linguistic communities which find themselves in a situation of greatest vulnerability, with fewer speakers and, in many cases, with a short-term future in serious peril.¹¹ These include both territorial and non-territorial languages. Regarding the latter, it should be clarified that, despite the fact that, in line with Article 7.5, the majority of States recognise these languages only in Part II, the Charter sets no limit preventing these languages from being able to benefit from more ambitious protection and promotion. Indeed, as we have indicated, this is the case of Romani in States such as Bosnia and Herzegovina, Germany (in Hesse), Hungary, Montenegro, Poland, Serbia or Slovakia, where it is also covered by Part III of the Charter.

4 The new interpretation of Article 7 by the Committee of Experts

Over the 20 years since its coming into force, the interpretation of the Charter by the Committee of Experts has changed with the passing of time, not so much owing to the changes in the configuration of the Committee itself, with the gradual renovation of its members, but owing to the knowledge of, access to, and analysis of the case studies regarding the increasing linguistic diversity of Europe. Three substantial changes were initiated in 2017: two have already been implemented and the third is under way. On one hand, mention should be made of the substantial simplification of the reports, with a marked structural change aimed at rendering them more legible, more accessible to diverse audiences, and, above all, more useful and productive, particularly with the deletion of a large part of the argumentative redundancy that articulated a good part of the reports up until now¹². By argumentative redundancy, we refer to the fact that, up until 2017, the Committee of Experts drafted their interpretation taking into account the conclusions appearing in previous reports, often with an excessive repetition of paragraphs. In the new format, this has been reduced. On the other hand, since the same year, the Committee has been opening up a debate (still ongoing) on its strategy for analysing and evaluating Article 7, as we shall go on to see. Lastly, it is currently (2018) continuing with the preparation of a new approach to the interpretation of Article 11 Media, taking into account the substantial changes undergone in this setting over the last two decades, particularly with the appearance and the massive expansion of digital media and social media networks.

With regard to Article 7, there is a change of enormous significance and which must be analysed over the coming years with the attention it merits. Until now, the Committee of Experts has established a difference in how Part II of the Charter (Article 7) and Part III (Articles 8 to 14) are to be evaluated. By way of a summary, a simple approach to any of the Committee of Experts' reports evinces, in Part III, a common narrative strategy, wherein there is a final evaluation of each commitment acquired by the State. This evaluation has four possibilities: "fulfilled", "partly fulfilled", "formally fulfilled", "not fulfilled". Generally speaking, this conclusion appears explicitly, normally in the final paragraph of the evaluation of each commitment. However, there are numerous cases in which the Committee of Experts voices its difficulty in reaching a conclusion. In these cases, the possibility of "no conclusion" is also contemplated, with a wide variety of discursive strategies to justify the lack of conclusion. Consequently, compared with this, until this point, Article 7 did not contemplate conclusions such as those pointed out, rather an argumentative line which, not infrequently, left the position of the Committee itself open. As of 2017, the discursive strategy has been unified and all the articles in Part II and Part III are now analysed in a similar manner, with a table including the range of conclusions that has just been pointed out. By way of example, an evaluation of compliance with the commitments relating to Croatian in Montenegro is included in Annex 1. The objective of this analytical and interpretive change is to favour the visibility of those languages only covered by Part II, with special emphasis on helping the final recipients of the reports prepared by the Committee of Experts to understand the strengths and weaknesses which characterise the regional or minority languages. Moreover, the new table

attempting to assess the pertinence thereof. Although this decision is not problem-free, it is not uncommon for language to have more than one autoglotonym without this entailing the speaking of different languages.

11 An exhaustive assessment of the Committee of Experts' position as regards the situation of these languages would require a detailed analysis beyond the scope of this article (see Dunbar, 2012).

12 It should be taken into account that Article 6 establishes that the parties undertake to inform all persons, organisations and authorities affected by the Charter of the rights and duties established by the same. In a broad interpretation, this obligation also covers the disclosure of the Committee of Experts' reports, virtually unknown outside certain social groups. Nonetheless, in order to contribute towards rendering reports more accessible for the affected population, the aforesaid Committee is charged with preparing reports that are technically less elitist.

has been conceived and designed to enable a swifter and clearer comparison of the progress and setbacks experienced by these languages, through a code with three keys: an equals sign “=”, which means that there has been no change in the Committee of Experts’ evaluation with regard to the previous report; an ascending arrow “↗”, to signify an improvement with regard to the previous cycle; and a descending arrow “↘”, to signify a deterioration.

This change in the way of addressing the fulfilment of the commitments of Article 7 is not exempt from discussion, in at least two different senses. Firstly, precisely as it addresses objectives and principles, Article 7 is based on a level of generality that is absent in the majority of the paragraphs and sub-paragraphs in Articles 8 to 14. This will frequently entail greater interpretation by the Committee of Experts. Secondly, on the basis of this change, the interpretive coherence between Parts II and III of the Charter for those languages protected by both parts becomes more obvious. For example, to some extent Article 7.1.d overlaps that contained in Part III, so that understanding that said commitment has been fulfilled means that a good part of the commitments appearing in Articles 8 to 14 must have a favourable evaluation, which, for many of the languages covered by the Charter, is far from the truth. Something similar occurs with Article 7.1.f with respect to Article 8, both intended to guarantee the use of the languages in the education system, but with different degrees of specificity.

5 Article 7 in Spain

With the ratification of the Charter by Spain in 2001¹³, a hierarchy is introduced between the languages spoken throughout the State territory, which entails discrimination, or, if one prefers, a new form of minoritisation. By means of a State decision, some languages are covered by both Parts II and III and others only by Part II. Moreover, the specificity arises that the same language may have a different status in different territories: this is true of Catalan, Galician and Basque. In the first case, with complete coverage in Catalonia, the Balearic Islands and the Community of Valencia, and incomplete coverage in Aragon and Murcia; in the second case, with complete coverage in Galicia and incomplete coverage in the neighbouring areas of Castile and León and Asturias, as well as in Extremadura. The case of the Basque language is different, insofar as within the Basque Country coverage is total, while, exceptionally, in the Chartered Community of Navarre, it is the case that the language has different statuses depending on the territory in question, with complete coverage in the so-called Basque-speaking area and incomplete coverage in the mixed zone, where Basque does not have official status and is only covered by Part II of the Charter.¹⁴ The aforesaid “language zoning”, which appears in Article 9.1 of Navarre’s Statute of Autonomy, and in the subsequent language legislation, represents a manner of naturalising an unequal, contradictory and conflictive *statu quo* which needs to be overcome (see Izu Belloso, 2013).

Exceptionally, among all the countries in which the Charter is in force, the Spanish instrument of ratification is the only one which does not explicitly identify any language. This does not concern Article 7, insofar as once the treaty comes into force, all regional or minority languages traditionally used in the State territory are automatically protected by this article, as we have pointed out above. However, this decision is controversial in the sense that Article 3.1 of the Charter establishes the obligation on each State of specifying in the instrument of ratification “each regional or minority language, or official language which is less widely used on the whole or part of its territory, to which the paragraphs chosen in accordance with Article 2, paragraph 2, shall apply”; i.e., those languages covered jointly by Part II and III.

¹³ Arzoz (2008) offers a good approach to the “Spanish linguistic model” and the implementation of the Charter.

¹⁴ More confusing is the situation in the officially non-Basque-speaking area (even though a small percentage of the population speaks Basque), partly because the instrument of ratification does not establish this distinction between areas. The conclusion reached is that the Charter’s scope is indeterminate in the Chartered Community of Navarre (Izu Belloso, 2013: 373). The 4th Committee of Experts report (2016) refers explicitly to the measures adopted in the Basque-speaking areas and in the mixed area. The single appearance of the non-Basque-speaking area provides a description of the recognition that the Committee makes of the changes introduced in the Autonomic Law 4/2015 with regard to the new status attained by the non-Basque-speaking area in the setting of education, similar to that of the mixed area (paragraph 250). This means that, in practice, the introduction of “model D” is permitted, which consists of the teaching of Basque as the vehicular languages, except for the subject of Spanish Language, in public schools in the non-Basque-speaking area, provided there is sufficient demand.

*Languages covered by the Charter*¹⁵

Article 7 is applicable to 11 territorial languages, plus Caló as a non-territorial language¹⁶. In total, these languages are spoken in eleven Autonomous Communities and in two Autonomous Cities (Table 2).

Table 2. Minority languages in Spain

Language	Territory	Level of protection
Aragonese	Aragon	Part II
Aranese	Catalonia	Part II and Part III
Asturian	Asturias	Part II
Basque	Navarre	Part II and Part III (Basque-speaking area)
	Basque Country	Part II and Part III
Caló	Throughout the territory	Part II
Catalan	Aragon	Part II
	Catalonia	Part II and Part III
	Balearic Islands	Part II and Part III
Ceutan Arabic	Ceuta	Part II
Galician	Asturias (called Galician-Asturian in Council of Europe reports)	Part II
	Galicia	Part II and Part III
	Castile and León	Part II
	Extremadura (known as <i>Fala</i>)	Part II
Leonese	Castile and León	Part II
Portuguese	Castile and León	Part II
	Extremadura	Part II
Tamazight	Melilla	Part II
Valencian	Murcia	Part II
	Community of Valencia	Part II and Part III

As is well known, the sociolinguistic situation of each one of these languages is far from hopeful, in particular of those only protected by Part II, and among these, those which have no type of statutory recognition (Ramallo, 2018). In its monitoring of Spain's fulfilment of its obligations, the Committee of Experts has repeatedly voiced its concern regarding the situation of minority languages in Spain, specifically those only covered by Part II. We now go on to include a summary of the most relevant evaluations from the aforesaid Committee's fourth report (2016), addressing those languages only covered by Article 7. Additionally, in Annex 2 we include some of the conclusions from the Discussion Forum on the European Charter for Regional or Minority Languages, held in June 2017 in Santiago de Compostela.¹⁷

¹⁵ We are aware that there are still a number of problems related with the identification of languages in different sub-families, branches and/or trunks, particularly with regard to languages with an obvious structural proximity, such as those of the Romance languages on the Iberian Peninsula. Disagreements in the academic world are sporadic, but persistent. In this regard, as appears in footnote number two, in the description that we present here, we opt for the grouping appearing in the Committee of Experts' reports, which are not exempt, on the other hand, of controversial decisions in this regard (see Castellà-Subirats & Strubell, 2008; Ruiz Vieytez, 2009).

¹⁶ Currently, Caló should be understood as a mixed para-Romani variety, with phonological and grammatical structures of Spanish (Spanish Caló), Catalan (Catalan Caló) or Basque (Errumantxela) and with numerous lexical elements and a number of morphological traces from Romani (Gamella *et al.*, 2011; Krinková, 2015).

¹⁷ Organized by the Council of Galician Culture (Consello da Cultura Galega), with the collaboration of the Council of Europe, the Forum brought together for the first time representatives of all the minority languages covered by the Charter, as well as leading members of the Council of Galician Culture itself, from the Ramón Llull Institute and from the Basque Etxepare Institute. After two days of intense debate and joint reflection, the participants drafted a number of common conclusions, which were made public early in 2018 in Galician, Catalan, Basque and Castilian. The programme and all other documentation, including the full conclusions and audiovisual recordings of the events during the two days of the conference, are available at <http://consellodacultura.gal/evento.php?id=200581>.

Included as a priority in the fourth report is the availability of statistical data on the number of speakers and, at the same time, on the geographic distribution in which languages only covered by Article 7 are used. This entails assuming a lack of basic knowledge which could be valid as a starting point for addressing the present and future of these languages. Statistics do not resolve anything *per se*; nonetheless, they are habitually used as “useful” tools in the construction of a collective overview of languages and the speakers, which usually has a certain projection and social impact. With this in mind, we call for the preparation of a study which places reliable quantifications regarding these languages on the table. In a multilingual State, with a Constitution which, in Article 3.3 thereof, significantly invokes “the wealth of different linguistic modalities in Spain” as a “cultural heritage worthy of special respect and protection”, we understand this to be a responsibility of the central government, in the hope that progress is made in the statutory recognition of the official status of those languages which still do not enjoy this level of protection, as established in Article 3.2 of the Spanish Constitution.¹⁸

Even among the languages only covered by Part II, for the Committee of Experts, clear differences can be recognised. Thus there is a lack of “sufficient projection for the most endangered languages”, namely, Ceutan Arabic, Portuguese in Extremadura, Leonese in Castile and León, Galician in Extremadura and Valencian in Murcia, languages and territories in which domestic legal regulation is practically non-existent. In all of these cases, there is an urgent need to plan and implement public policies and undeniably at overcoming the situation of the violation of basic language rights (see García Gil, 2008; Além Guadiana, 2013; Núñez Martínez, 2013; Montoya, 2014; Moscoso, 2015).

Consequently, there is a need for essential action, aimed, planned and executed with the objective of ensuring that Spain fulfils the commitments set forth in Article 7 of the Charter. Highly significant in this regard is the final recommendation by the Committee of Ministers (2016) aimed at Spanish authorities: “To consider extending recognition for those regional or minority languages which are co-official in six Autonomous Communities to other Autonomous Communities, provided there is a sufficient number of users of the regional or minority language in question”. This applies particularly to Catalan in Aragon, to Valencian in Murcia, to Galician in Castile and León and Asturias (and in Extremadura). In line with the spirit of the Charter, in the specific case of Spain, taking into account the background of the official languages in its territories, the official status of all languages only covered by Article 7 must be the priority objective.

Conclusions

In the Council of Europe’s European Charter for Regional or Minority Languages, European language heritage, as a first-order cultural value, has an instrument of significant relevance for the protection and promotion thereof. This treaty, which has been in force for 20 years, since 1998, was drafted taking into account that the majority of this heritage finds itself in a truly precarious situation with regard to its future. If possible, even more so now than 20 years ago.

If the Charter is a key text for addressing the present and immediate future of the majority of European languages with guarantees, Article 7 thereof is the crux of the matter, insofar as it contains the principles and objectives that need to prevail in safeguarding any regional or minority language. Although it is true that it is an article which is apparently more “lightweight” in terms of its scope and commitment, it is actually an indispensable article, both a summary and, at the same time, a compendium of the Charter as a whole, which must be applied to all regional or minority languages traditionally present in a determined state territory, irrespective of the signatories to the treaty’s preferences. This priority nature for Article 7 has been bolstered by the changes occurring in the interpretation by the Committee of Experts thereof since 2017.

In Spain, there is an urgent need for language policies to be implemented to help promote the use of minority languages covered only by Article 7 in those communities where these languages have survived for centuries. For obvious reasons, we find ourselves at a key juncture for the development of language legislation in those territories where progress has scarcely been made. Seventeen years after Spain’s ratification of the Charter, it is difficult to justify the lack of support for the majority of languages only covered by Article 7, which are

¹⁸ The technical interpretation of Article 3.3 of the Spanish Constitution is not without controversy, particularly regarding the legal system of “linguistic modalities” as opposed to the “other languages” referred to in Article 3.2 (see Vernet, 2017).

precisely those most in need of measures, actions and legislation aimed at their preservation. Everything cannot be allowed to remain in the hands of civic and associative activism, which normally have very scant resources.

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Annex 1. Assessment of Article 7 for Croatian in Montenegro (4th cycle, 2017)

Symbols used to mark changes in the evaluation compared to the last monitoring cycle: ↗ improvement
↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Montenegro concerning Croatian	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Part II of the Charter (Undertakings which the State must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Croatian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Croatian	=				
7.1.c	resolute action to promote Croatian		=			
7.1.d	facilitation and/or encouragement of the use of Croatian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Croatian • establishment of cultural relations with other linguistic groups 	=				
7.1.f	provision of forms and means for the teaching and study of Croatian at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Croatian to learn it	=				
7.1.h	promotion of study and research on Croatian at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Croatian				=	
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Croatian					↗

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Montenegro concerning Croatian	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
7.3	<ul style="list-style-type: none"> • promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Croatian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Croatian among their objectives 		=			
7.4	<ul style="list-style-type: none"> • take into consideration the needs and wishes expressed by the group which uses Croatian • establish a body for the purpose of advising the authorities on all matters pertaining to Croatian 	=				

* **The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:**

Fulfilled: Policies, legislation and practice are in conformity with the Charter.

Partly fulfilled: Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

Formally fulfilled: Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

Not fulfilled: No action in policies, legislation and practice has been taken to implement the undertaking or the Committee of Experts has over several monitoring cycles not received any information on the implementation.

No conclusion: The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

Annex 2. Conclusions of the Discussion Forum on the European Charter for Regional or Minority Languages¹⁹

ARAGONESE IN ARAGON

- In Aragon positive steps for the Aragonese language began to be taken as of 2015, with the establishment of the Directorate General for Language Policy. Further constant progress needs to be made in forthcoming terms, since institutional inaction over the last 25 years has resulted in repeated non-fulfilment of the Charter by the Government of Aragon, and in a constant loss of traditional speakers.
- Firstly, the legal recognition of Aragonese in Law 3/1999 on Cultural Heritage needs to be extended to Law 3/2013 on Languages, which will, in the future, need to prepare the institutions with a view to establishing the co-official status of the language through the Statute of Autonomy (as a full guarantee of speakers' linguistic rights). Secondly, extensive, official zoning must be established, taking into account the city of Zaragoza, in order to guarantee the application of language policies in those areas where it is spoken. Thirdly, institutions must foster the oral and written use of the language through the media, such as public radio and television, as well as encourage linguistic heritage awareness raising campaigns aimed at eradicating linguistic prejudices among Aragon's Castilian-speaking majority.
- In the educational setting, there is a need to guarantee the right to learn Aragonese within the school timetable, and to gradually establish it as a vehicular language in those public centres which request it. In the same vein, the teaching of Aragonese for adults, conducted in the main by associations and non-profit bodies, must be professionalised. Education is the main priority for this language, owing to the high levels of breakdown in intergenerational transmission that threaten it.
- The fostering of research and of relations with other minoritised linguistic communities are two other key points requiring further work in order to attain the objective of compliance with the Charter.
- There is a need to generate social and political consensus to allow institutions to act steadily and firmly to guarantee speakers' rights and to safeguard this endangered intangible heritage.

ASTURIAN IN ASTURIAS

- There is no respect for the areas of the language, nor are institutional relations maintained with other groups.
- There is no resolute action for promoting Asturian with a view to saving it, only cosmetic measures entailing a degree of promotion for determined cultural activities. In no way is the oral/written use of Asturian by citizens with the government, or the transversal use in the government itself, facilitated.
- In the educational setting, the language's presence is piecemeal and precarious. Asturian is only present as an optional subject in primary and secondary education. Its presence is not regulated in nursery schools, in official language schools or in adult education. In the university setting, its presence is scant. Nor are there any resources for non-speakers to learn Asturian; the efforts in this setting being made by social associations.
- There is exclusion in the use of Asturian in government, which has been designed and conceived 100 % in Castilian; the use of Asturian is only "tolerated" under very specific, themed conditions.
- Coexistence between language groups is good, even though the authorities do nothing to foster it. Nor do the public media do anything in this regard.

¹⁹ We would like to thank the following individuals for their contributions to the Forum, particularly in the preparation of these conclusions: Mohand Tilmatine (University of Cádiz), Francisco Moscoso (Autonomous University of Madrid), Anchel Reyes (Aragonese Sociolinguistic Seminar), Carlos Pulgar García (Board for the Defence of the Asturian Language), Juan F. Gamella (University of Granada), Javier Giralt Latorre (University of Zaragoza), Tamara Flores (University of A Beira Interior), Carlos Xesús Varela Aenlle (Galician Royal Academy), Héctor M. Silveiro Fernández (Galician Royal Academy), José Ignacio Suárez García (Faceira Cultural Association), Eduardo Naharro Macías Machado (Além Guadiana), Antoni Mas i Miralles (University of Alicante).

- The public authorities' responsiveness to the language community's demands is scant or non-existent. There are no mediation bodies at an autonomic level.
- With this overview, there are a number of urgent priorities:
 - The establishment of legal equality for Asturian speakers, i.e. official status. Only by it being a co-official language will the Asturian language community be able to enjoy the same rights as Castilian speakers in Asturias.
 - The establishment of an education system which guarantees knowledge of Asturian for all students upon finishing compulsory education. With this in mind, the vehicular use of the language in education is essential.
 - The establishment of public media entirely in Asturian, with at least one TV channel, one radio channel and a digital platform at the service of linguistic standardisation.
 - The systematic, transversal use of Asturian in government.
 - Completing the toponym formalisation process and applying the same systematically in all supports.
 - Special measures favouring intergenerational transmission (in schools, with children's programmes on TV, in the settings of socialisation and leisure, etc.).

CALÓ (ROMANÓ)

- Caló or Romanó is a mixed language created by Spanish gypsies, blending Romani-derived vocabulary with the grammar of majority languages, such as Spanish, Catalan or Basque. It most probably originated in parallel to the erosion and disappearance of the complete varieties of Romani spoken on the Iberian Peninsula.
- Technically speaking, Caló is a para-Romani language and not dialect of Romani. A non-territorial, minority language. In the ratification of the Charter, a number of different countries with notable Romani minorities have been including the "Romani of the Sinti and German Roma" (Germany, 1998), "Romani Chib" (Sweden, 2000), "Romanes" (Finland), the "Roma" language (Czech Republic, 2006), "Romani" (Hungary, 2008) or "Romani" (Romania, 2008) as languages to respect, protect and promote.
- Yet no State has referred specifically to the para-Romani dialects as being worthy of protection. So what needs to be done to protect these languages, which are surely among the most terminally ill and threatened of those existing in Europe, and which are used precisely by groups that are particularly vulnerable and excluded? To include them within the protection and promotion of one of the forms of Romani? To attempt to link the recovery of Hispano-Romani with the increasing acknowledgement and expression of the vitality of Romani dialects in European public life and in the media? To offer a greater presence for these languages in academic centres and the media? And in the institutional setting?
- The Charter itself recommends ascertaining and addressing the "needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned" (Article 7.5). A number of bodies which can "advise the authorities" on these matters already exist, both in Spain (State Council of the Gypsy People, Institute of Gypsy Culture) and in Europe (European Academic Network on Romani Studies, European Roma Institute for Arts and Culture). Should further efforts be made in this regard, by learning more about the current situation and the possibilities of recovery, recognition and expression for Hispano-Romani in public communication and education?
- In the recovery of Hispano-Romani, it will be essential to count on the existence of native Romani speakers in Spain, as well as on the enormous experience and competence built up in the study and promotion of this language throughout Europe, which is beginning to be reflected in Spain, in the form of the induction programme for the study of Romani in Castilian. Article 7.1.i of the Charter offers clear support in this

regard, urging signatory States to foster “the promotion of appropriate types of transnational exchanges” for “minority languages used in identical or similar form in two or more States”.

CATALAN IN ARAGON

- Incorporating the name of Catalan into Article 7 of the Statute of Autonomy of Aragon, which addresses the region’s “languages and linguistic modalities”, is the only way of endowing the Catalan language with the recognition and social prestige it has never had. This would also prevent the name of the language spoken in the area bordering on Catalonia known as the *Franja de Poniente* from being left to the whim of politicians.
- Declaring the co-official status of Catalan in Aragon. This measure would make it possible to devise firm language policy and planning approaches, with the aim of standardising the use of Catalan in the *Franja*.
- Establishing schooling in Catalan in the educational centres in the *Franja*, or at least the compulsory teaching of this language with same number of hours devoted to Spanish or English. Thus it would be possible to genuinely encourage the oral and written use of Catalan in all settings, while ensuring competence in the use of Catalan in the four language skills for the new generations.
- Carrying out intensive pedagogical work with regard to the linguistic situation in Aragon, with the aim of informing the Aragonese society as a whole that their autonomous community includes an area in which Catalan is spoken. Only thus will it be possible to ensure that the inhabitants of Aragon gradually become aware of an undeniable linguistic fact and demonstrate a degree of sensitivity towards the same. This task must involve all Aragonese institutions, as well as all education centres (public and private) and the media.

CEUTAN ARABIC

- Ceutan Arabic should enjoy recognition in the Ceuta’s Statute of Autonomy. This language currently finds itself in a precarious situation of minoritisation, given the scant, not to say non-existent, interest of the Spanish Central Government in general, and the Ceutan one in particular, which encourages and promotes militant monolingualism, considering Ceutan Arabic to be a non-traditional language of immigrants, seen as the language of the enemy: Morocco. Consequently, to safeguard it, compliance with all the points of Article 7 is needed.
- The presence of Ceutan Arabic in the media, in government and in the education system needs to be guaranteed.
- An Academy of Ceutan Arabic needs to be established with the following objectives:
 - To set up a committee of experts to embark on the codification and standardisation of this language, adhering to the example of academic proposals made for other native Arabic languages.
 - To promote the study of Ceutan Arabic among monolinguals, in the language institute, in the education system and in government.
 - To encourage the study of this language in the Institute of Ceutan Studies’ Department of Arabic.
 - To raise awareness in Ceuta’s Faculty of Education, Economy and Technology to include the teaching thereof in study plans for future primary and secondary school teachers.

GALICIAN IN ASTURIAS

- There is no real protection for the Galician of Asturias from the Principality of Asturias’ Government. The Law on the Statute of Autonomy only contemplates “Bable”, while the Law on the Use and Promotion of Bable/Asturian from 1998 speaks of a system of protection, respect, guardianship... which will cover

Galician/Asturian in those areas in which it has the nature of characteristic linguistic modality. It can be observed that this law only speaks of Asturian as Asturias' own language and never of Galician, which only appears as a "modality" (of which language it is not clear), and that the glotonym "Fala" is employed, which indicates nothing. These linguistic zones are not defined by the Asturian government and, thus, we can see how classes of Asturian are given in the Galician-speaking territory – such as in Verducedo (Allande) or Luíña (Ibias) – in the same way that the signposting in the Principality appears in Asturian in such diverse places as A Veiga, Valdebois (Ibias) or El Valledor (Allande), to name but a few.

- Adhering to Article 7 of the Charter, relating to the promotion of Galician in Asturias, in the policy of subsidies it is impossible to come up with an official breakdown of the percentage earmarked for Asturian and that for the Galician of Asturias. On the other hand, results still constitute no more than mere lip service on the part of the Principality's Government.
- Paragraph 7.1.e is clearly infringed by the Principality and by the Academy of the Asturian Language (Academia de la Llingua Asturiana - ALLA), as there is no type of institution record of the Galician-speakers in the Eo-Navia area, or in the other Galician-speaking areas; when they are given on a social or cultural level, they are totally torpedoed by the Government, the ALLA and certain Asturian institutions.
- In point 7.1.f, the lack of a determined language policy for the Eo-Navia area is evident. The ALLA has a totally inoperative Secretariat and there are supposed Linguistic Standardisation Offices (Parque Histórico del Navia, Mancomunidad Ozcós-Eo), with no uniform or scientific criteria. In the educational setting, the lack of material is patent, with no suitable didactic units, which are copied from Asturian and at times from Galician. In order to give classes, a 40-hour or 60-hour course given by the ALLA is required, depending on the phase, and preferably a language degree. The subject is optional; it competes with others, depending of the centre, and the possibility of choosing it is not available in all of them. If we continue moving up through the educational provision, there is no course, subject or degree in Galician in the University of Oviedo, in teacher training schools, or in official language schools. There are no programmes in the Galician of Asturias on Asturian public television (TPA) – with the excellent exception of *Camín de Cantares*, on the private initiative of the presenter, Ambás – and in many programmes, there is even a genuinely alarming level of acculturation by Asturian and Castilian. There should be a disconnection for the Eo-Navia area, as occurs in some programmes on ORT Television in Navia. The rights of Galician-speakers are also violated in the RTPA (Radio and Television of the Principality of Asturias), as contributions in Galician are sporadic and always on the initiative of private individuals or owing to cultural-linguistic militancy.
- The promotion of studies and research is clearly insufficient, often only arising from the altruism of associations and private individuals. There are no newspapers or magazines in the Galician of Asturias, and the few books that are subsidised must obligatorily be published in the Asturian standard. This is without mentioning the institutional, legal or administrative settings (the Principality's websites are never in Galician). At times, there are proposals which are rarely met (Declaration of A Veiga, applications in San Martín de Ozcós and El Franco, etc.).
- With regard to the issue of place names, the Principality of Asturias Toponym Advisory Board (Xunta Asesora de Toponimia del Principáu d'Asturies) has established the guidelines for the traditional toponyms to be used, but always employing Asturian spelling, or even "officialising" place names in Spanish or vulgarisms. It makes one think that if "Galician Asturian" is not official, how can these toponymic forms possibly be so? Another salient fact is the supposed officialisation of "joint toponyms" (Ría del Eo), with which the Principality's Government is infringing the official status of the toponym "Ría de Ribadeo", endorsed by the National Geographic Commission (Comisión Xeográfica Nacional) of the Higher Geographic Council (Consello Superior Xeográfico), which has been dependent on the Spanish Ministry of Public Works and Transport since 2008.
- Galicia itself is clearly indifferent to the matter. The Galician Royal Academy (Real Academia Galega, RAG) should demonstrate greater commitment with the Galician in neighbouring areas, availing itself of

the legal armoury at its disposal. It is unacceptable that, for the evaluation of the Charter on the Galician, Asturian the latest report (IV, 2010-2013) only includes the opinion of the ALLA, which is understood to be the sole “scientific institution of reference...”. The Government of Galicia declared in the press its intention to establish an Office for Galician in neighbouring areas; the president, Alberto Núñez Feijóo, spoke some time back of the co-official status of the Galician of Asturias; and the RAG spoke of setting up of a Seminar on the neighbouring Galician: nothing has been heard since on the matter. The press continues to use corrupted place names, egregiously so on Galician Autonomic Television and Radio (TVG and RG, respectively); the latter has even received petitions from cultural associations in the area, but it refuses to broadcast or does so with totally unscientific results (*Alalá, Luar*). These media should include weather maps of the neighbouring areas as a matter with a clear cultural-linguistic basis, not a political one.

- A greater understanding between the Asturian and Galician governments on linguistic matters regarding the Galician of Asturias is essential, since Galicia has a stronger position with regard to materials, standardisation, etc., which are inexplicably rejected by Asturias. And, on the other hand, greater involvement would be required from Galician institutional bodies, such as the RAG, the Council of Galician Cultural (more projects or publications on the area), the Galician universities (the exception would be that of Vigo, and private initiatives from staff from the University of Santiago), the Government of Galicia, the Galician People’s Museum, the Archive of the Kingdom of Galicia, libraries, etc. Additionally, the necessary introduction of Galician in the University of Oviedo, in teacher training and in the official language schools, as well as a delegation of the TVG and RG for the area.

GALICIAN IN CASTILE AND LEÓN

- Owing to the importance that education currently has for any language and its future, we must point out that the application of the Law on the Improvement of Educational Quality (LOMCE) is giving rise to problems both in territories with official languages and, particularly, in those where there is a language without official status (for example, Galician in Castile and León). There are serious problems in maintaining the Galician Promotion Programme in the region of El Bierzo, with a comprehensive educational offer and on a level footing with other options; thus the language rights of the speakers are being violated and the indications of the Charter are not being fulfilled. We would call for a review for the improvement and extension of the Galician Promotion Programme being applied in this Autonomous Community.
- In those territories where a language without official status is spoken, and which has been suffering the loss of speakers for decades (as is the case of Galician in Castile and León), there is an urgent need to incorporate planned language promotion initiatives, which transcend the educational setting, adhering to the recommendations of the Charter, and which work towards attaining official status. The aforesaid loss of speakers needs to be halted, conserving traditional spaces of use while opening up new ones beyond the educational setting, which on its own is not capable of safeguarding the existing cultural wealth.

GALICIAN (FALA) IN EXTREMADURA

- There is no statutory recognition of Fala. The only legal recognition is a Declaration of Asset of Cultural Interest from 2001.
- Total absence of information from the Government of Extremadura. This silence can be extended to requests different types processed during the period 2014-2016 by local authorities and associations to public bodies, including the President’s Office, the Regional Department of Education and Culture and the Regional Department of Development, Housing, Spatial Planning and Tourism.
- The items of information appearing in the fourth State report are all highly questionable. The implementation of the *A Fala na escola* programme in the education system is non-existent: only one “language workshop” has been subsidised, with said subsidy being withdrawn the following year, despite

100% registration. With respect to the establishment of the Museu da Fala, only the refurbishment of the building has been completed. There is no programme or budgetary allocation for its supposed functions.

- During the period 2014-2017, all initiatives related with Article 7 were carried out by cultural associations or by private individuals, with no economic, logistic or human support. Certain measures are contemplated in the Action Plan for the recently established Sierra de Gata Cultural Park (in the educational and scientific programmes). This park is supported by Cáceres Provincial Council.

LEONESE IN CASTILE AND LEÓN

- Even though since 2007 Leonese has enjoyed significant recognition in the Statute of Autonomy the institutions of Castile and León have adopted no measures to protect this language, nor has any legislation been introduced for the conservation, use and promotion thereof.
- The fourth Committee of Experts report highlights the scant promotion of Leonese by the competent authorities, bemoaning that neither Castile and León nor the Spanish State, the ultimate guarantor of the implementation of the treaty, has provided the information that needs to be disclosed every three years in order to be able to evaluate the level of compliance with the Charter. The Council of Europe has once again invited specific measures and practices to be implemented to facilitate and encourage the use of Leonese in public life, as well as its inclusion into the Autonomous Community's study programmes.
- Owing to the foregoing, the most urgent proposals and priorities for safeguarding Leonese are as follows:
 - The legal development of Articles 5.2 and 5.3 of Castile and León's Statute of Autonomy, in line with the objectives and principles established in Article 7 of the Charter, so that Leonese and Galician enjoy identical regulatory and practical treatment, while always addressing the unique socialistic situations of both languages within the Autonomous Community.
 - The creation of an autonomic administrative body responsible for protecting and promoting Leonese and Galician, with the aim of establishing a coherent, coordinated and effective defence policy for both languages in the long-term.
 - The promotion of Leonese on the basis of the respect constitutive varieties of the language and involving traditional speakers and inhabitants of those areas where it has been maintained in the recovery of the language, with campaigns for recognition, dissemination, revaluation and awareness raising regarding the linguistic heritage, stimulating the cultural contact of Leonese speakers with other areas which also have this as their traditional language, even though they may be beyond the administrative boundaries of Castile and León.
 - The introduction of Leonese into Castile and León's education system, as a priority issue in those areas where the language has been maintained, and in all other areas, in line with social demand. In any case, the teaching of Leonese would need to be present in infant, primary, secondary and pre-university education.
 - Recuperation of autochthonous place names, firstly by taking an inventory of the traditional major and minor toponyms, to then include them in the geographic nomenclatures and on signs.
 - In terms of cultural policy, support for cultural and literary creation in Leonese; collaboration with those organisations within the Autonomous Community which work on promoting the study and recovery of Leonese; encouraging the presence of this language in the social media and fostering study and research on Leonese.

PORTUGUESE IN EXTREMADURA

- Awareness-raising and sensitising among citizens of the linguistic and cultural value of Portuguese. This work must serve to make progress toward a society which accepts its uniqueness as cultural wealth.

- Creation of a database for the Portuguese of Olivenza, employing technological means.
- Appreciation of Oliventine Portuguese for didactic, educational and cultural purposes (interpretive elements, publication of popular stories, intergenerational activities with the elderly and schools, literary prizes, etc.).
- A specific Strategic Plan for Portuguese should be encouraged, aimed at achieving true bilingualism, in all settings (schools, citizens, institutions, etc.). Ideally, the relevant institutions would realise that in Olivenza Portuguese is not a foreign language, but a home language with a well-documented historical presence; i.e., a specific plan for Olivenza's educational community should be combined with another one aimed at citizens. This plan must be progressive, and to implement it, the option of a subject available in all centres which should be taught with at least the same number of hours as other subjects of the same level should be considered.
- The Além Guadiana Cultural Association also proposes studying the possibility of establishing an exchange programme for a full academic year with the neighbouring town of Elvas, which would have a bearing on the student's school life from the end of primary education and throughout secondary education. This would serve to reinforce linguistic aspects and to provide a certain degree of immersion in the cultural, historical and everyday settings, forging links between families and neighbours who share so much. Moreover, it would be an excellent measure enriching teachers' knowledge.
- Owing to our experience and with the positive results from actions carried out up to date, Além Guadiana offers its services as an intermediary for the possible dealings that would be necessary between institutions on both banks of the Guadiana.
- Additionally, we believe that the local authority in Olivenza, through the Portuguese Language and Culture Department of the Universidad Popular, could help the educational community with cultural activities, which could be aimed at studying Olivenza's context within the setting of the Portuguese-speaking world.
- As regards citizens in this respect, the local authority and the Universidad Popular must play a fundamental role in the teaching of Portuguese to all those individuals with no access to compulsory education.
- The Além Guadiana Cultural Association acknowledges that the institutions have carried out initiatives and activities; however, it considers them to be insufficient. Hence, it understands that Article 7 of the Charter is not being fulfilled.

TAMAZIGHT IN MELILLA

(Mohand Tilmatine)

- In the preparation of State reports, all the issues proposed by the Committee of Experts entrusted with monitoring compliance with the commitments acquired with the ratification of the Charter need to be addressed.
- The Tamazight language lacks prominence and an institutional presence (justice, education, signage, etc.). Accordingly, it needs to be legitimised in public uses.
- Melilla lacks an organisation specifically tasked with monitoring language policy.
- In Melilla, religion is usually the feature made use of to identify the native Melillan population, of North African origin, identifying them as "Muslim", or which gives rise to a "European Christian population" vs. "Muslim population" segregation/opposition. The assimilation, conscious or unconscious, of Melillan Muslims with the all other Muslims has a direct effect on attitudes, behaviours and institutional or international loyalty. Accordingly, opting principally for the Tamazight language as a marker and grounds for identity in place of Islam is recommended.

VALENCIAN IN MURCIA

- The 9 individuals studying primary education in the only single-classroom school in Cañada de Trigo (Yecla) receive no teaching in Valencian. Despite this, negotiations with the Murcian authorities to achieve this objective are ongoing.
- Beyond compulsory education, the Universidad Popular de Yecla currently offers two courses of Valencian (B2 and C1) for the general population. These courses are subsidised by the Valencian Language Academy (Acadèmia Valenciana de la Llengua) on the basis of an agreement with the local authority in Yecla.
- In April 2017, the aforesaid Academy published an article including the entire toponymy of the El Carxe district.
- Particularly worthy of note are the measures taken by Anxo Navarro Sánchez, through publications and proposals to the autonomic Government for the latter to take into consideration the declaration of Valencian in the area of El Carxe as an Asset of Cultural Interest, and the language's incorporation into the text of Murcia's Statute of Autonomy.
- Thanks to the cross-border responsibilities between communities which share the same language, as defended in the Charter, through Order 65/2016, of 18 of October, the Government of Valencia included the name of El Carxe in a legal text for the first time, along with the possibility of receiving subsidies for the promotion of Valencian.
- Based on this Order, the Government of Valencia made a commitment to fund a number of activities and concerts held in Valencian throughout 2017.
- On the basis of this situation, the following measures are recommended:
 - To offer education in Valencian to students in El Carxe.
 - To continue maintaining the collaboration between the local authority in Yecla and the Valencian Language Academy to offer courses of Valencian.
 - To contact the other two local authorities in the El Carxe district (Jumilla and Abanilla) so that, with the collaboration of the Valencian Language Academy, Valencian courses can be offered in the respective towns.
 - That the autonomic authorities of Murcia should declare Valencian in El Carxe an Asset of Cultural Interest, since they possess the legal resources to do so.
 - That they should also introduce recognition of the Valencian spoken in part of their region into the text of the Statute of Autonomy.
 - That the autonomic governments of Murcia and Valencia should establish relations to maintain the aid and subsidies aimed at promoting Valencian in El Carxe.