



Event Report: Respecting Linguistic Diversity? Language Discrimination in the EU

It has been some months since the release of an official report revealed widespread prejudice and even violence towards minority language speakers in the European Union.

The findings by the European Language Equality Network (ELEN) in 2015 found that discrimination against linguistic rights was rife, and that member states were doing little to protect their own citizens from intimidation, humiliation and even violence.

Such incidents were not merely confined to speakers of endangered languages; those with mother tongues as co-official languages such as Basque, Catalan and Galician in Spain also suffered from abuse.

Yet, there are still no legal instruments to prevent language discrimination in the EU in spite of numerous conventions and provisions in place.

To address this oversight, a number of experts, academics, journalists, UN representatives and others from across Europe and beyond recently gathered in the European parliament in Brussels for the hearing: 'Respecting Linguistic Diversity? Language Discrimination in the EU', hosted by GUE/NGL MEP **Liadh Ní Riada**.

Cases of discrimination with witness testimonies were discussed but there were also debates on the possible solutions to the current situation - with recommendations from the conference put forward to the Culture and Civil Liberties Committees at the European Parliament, the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE) and the UN for consideration.

Speaking in her native Gaeilge in her opening address, Irish MEP Ní Riada said it was fundamental that the European Commission does everything it can to protect this endangered heritage:



“Although Gaeilge is a political issue, it is also a personal issue for me. As a mother, I’m trying to raise my children to speak Gaeilge. And as an MEP, I want to work to try and protect our language,” she added.

“Nowadays, although Gaeilge is developing, we can see a lack of cooperation in my national government. We’ve had a lot of cuts in budgetary support and the status of Gaeilge is being lowered all the time.”

“The EU has an important part to play in upholding the rights of all languages within it, and to ensure that all language speakers are treated equally within its framework - regardless of tongue,” she remarked.

Fellow GUE/NGL MEPs **Marina Albiol** and **Josu Juaristi Abaunz** - also acting as moderators during the hearing - with the latter equally adamant that linguistic rights must be upheld:



“Although in some areas of the Basque country where Basque is a co-official language, there are still violations against native speakers’ rights,” said Abaunz.

One of the biggest problems facing minority language speakers is that The Framework Convention for the Protection of National Minorities (FCNM) adopted by Committee of Ministers of the Council of Europe in 1994 is just that - a framework.

In spite of being the first legally binding multilateral instrument addressing the issue of minority rights - including languages - much of it is not applicable in individual member states without national parliaments’ ratification or legislation.

This was put into context by **Conchúr Ó Giollagáin** who has done much work on disseminating public policy towards the maintenance and revitalisation of Gaelic language and culture at the University of the Highlands and Islands in Scotland:

“The denial of language rights is in direct contravention of declared obligations and the denial in such a way is also a denial of human rights.”

“Why else would these cultures be on the brink of collapse even with legislative support bestowed on them?” he questioned.

Representing the EU Commission on Education and Culture, Multilingualism, **Kristina Cunningham** said it’s unfair to blame policy makers for the failure to uphold linguistic rights:

“Whenever anything happens, all the credits are claimed by local governments if the outcome is a positive one. Any shortcomings, however, they blame the European Commission!”

But she agreed that the general approach towards minority languages needs a major rethink:

“Why should we continue to compartmentalise languages? Languages and especially minority ones should be promoted with incentives rather than with fines and sanctions.”

Sixto Molina from the Council of Europe and the Head of Secretariat from the European Charter for Regional or Minority Languages (ECRML) had particularly kind words for Finland in its positive approach towards Sami speakers. However, the new wave of migrants and refugees arriving in Europe poses a new hurdle for language rights:

“Dialect is not covered by the Charter of Human Rights. Migrants are not covered by any of the convention. These new arrivals could, of course, choose to speak whatever language they like when they arrive.”

“But when you have a large group arriving overnight that speaks a completely different language to the locals, they immediately become a minority and that is a problem because they would face even more discrimination as a result,” reasoned Molina.

All these come at a time when protection for minority language speakers has regressed in the last twenty years, as **Professor Rob Dunbar**, Chair of Celtic Languages, Literature, History and Antiquities and Head of Celtic & Scottish Studies pointed out:

“Language rights are a relative latecomer to the international human rights party.”

“There were more developed provisions with minorities during the 1990s but in recent years, there’s been a slowdown in standard-setting.”

For **Liam Ó Maolaodha**, the answer behind that regression is obvious.

He helps run the Oireachtas na Gaeilge - a century-old arts festival of Irish culture held annually and based on its Welsh equivalent, the Eisteddfod:

“We are still using language as an instrument of control - governments especially.”

“It’s therefore vital for us to help preserve our languages because it’s part of our heritage,” he said.

A ratification of the the EU’s Charter of Fundamental Rights is therefore badly needed as matter of urgency, argued **Davyth Hicks** from the European Language Equality Network (ELEN).

“When Slovakia excluded Roma on linguistic grounds, Article 21 of the fundamental rights act was infringed upon. The EU duly punished the Slovaks for it.”

“So if the EU can punish the Slovaks, they can definitely take action against language discrimination,.” Cornish-speaking Hicks continued.

The Charter sets out a series of individual rights and freedoms. It brings together in a single document the fundamental rights protected in the EU including dignity, freedoms, equality, solidarity, citizens' rights and justice.

Proclaimed in 2000, the Charter has become legally binding on the EU since the entry into force of the Treaty of Lisbon in December 2009.

“Yet, countries like France and Greece are still flouting the laws. So why not have an EU directive? They have one for plants, fish, racism - but not minority language speakers,” Hicks said.

“Let us all raise our game and not let our languages slip into the darkness,” he concluded.

Virtually all the panellists at the hearing agreed that apolitical civil groups and local communities are vital in maintaining the traditions and heritage, as **Paul Bilbao-Sarria**, the Basque-speaking Secretary-General from Kontseilua and ELEN’s vice president pointed out:

“With Basque, we needed a very strong civil society to work just to defend the language.”

“It has got to be apolitical,” he affirmed. “Let civil societies make the proposals. Their contribution is the most important part.”

“But we can’t do it alone - we need others to help promote our cause; to help organise, to advise and to propose. The civil society can play a part in all of that.”

Sixto Molina, however, cautioned civil society on its own is not enough and that politicians and the state must play their parts, too:

“There has to be external and internal visibility. Many people beyond these minorities don’t understand the basic situation so we must explain better to the others.”

“Furthermore, we can share amongst all of us in the community to learn about each other. But it is important for the state to know what to do, what to protect so that they don’t upset some groups.”

“They must avoid politicising the matter. After all, we’re speaking about people so we must work towards serving entire communities. Local authorities have a fundamental role to play - they know things have to be done,” he surmised.

“Similarly, politicians also serve a purpose in this. But we need leadership from the European Commission - structural funds and others - to use for the creation of schools to allow minorities better access to education that preserves their mother tongue.”

“Politicians may argue about the financial costs attached to this. But there’s always enough money to do things,” he concluded.



Conchúr Ó Giollagáin believes an EU emergency commission on language endangerment is long overdue because the EC itself has become static and fundamental action is needed:

“In short, minority languages need bespoke, affirmative action to address real concerns rather than institutional ones,” he said.

Social and economic conditions are also critical in the framing of these policies, as Rob Dunbar said:

“We need an effective participation and empowering linguistic communities to take decisions - not only about the language but also the social and economic conditions that people live in.”

“It’s important to have language-sensitive policy in other areas of everyday life like health and education. This goes hand-in-hand with developing models,” Professor Dunbar said.

Perhaps the last words should go to Irish MEP and co-convenor Liadh Ní Riada who urged action now before it’s too late,

“We’re always talking to each other. We’re preaching to the choir. All of us here are of one mind.”

“But why talk to one another when the majority have no idea about us? We need to make these challenges known - and sharing a common heritage should strengthen us.”

“I don’t want my children and others to look at me one day as the last of the Mohicans,” she said in closing the hearing.