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Language Implementation Agency of RNM

Ylber Sela Marina Andeva Lazo Matovski

LANGUAGE USE IN A COMPARATIVE PERSPECTIVE

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Preface – Abstract

Language use policies differ from country to country. Each organized society has its own unique language model specific to that particular society. Whether it is monolingual, bilingual or multilingual on a national, regional (province, canton, country's region) or local (municipality, town, city area) level, this model is determined by various factors: country's geographical location; ethnic composition of the population; history; national/local traditions; institutional policies, etc.

Can we learn something from the others? Can we “replicate” the good practices of one's language policy and incorporate them in our own system in any way? Do we have the ability to recognize successful language models?

This publication not only aims to illustrate cases of language use policies and language models of selected countries in different spectrum of fields, but also aims to develop better understanding among readers of how language policies have been shaped in very different settings, of how different societies function through communication and language interaction and ultimately, to present the language systems of targeted countries from a comparative perspective.

Keywords: Language use; bilingualism; multilingualism; language rights; comparative study.

1 Introduction

In this publication, an analysis of 12 (twelve) selected countries as case studies is carried out by depicting their legal and institutional framework regulating the use of languages in different domains of life.

A number of countries followed a particular approach. This publication identifies countries as case studies from the Western Balkan region (Kosovo), member states of the European Union (Belgium, Croatia, Cyprus, Finland, Hungary, Italy, Luxembourg, Slovenia and Spain), and countries well known for having multiculturalism embedded in their political and legal system and not members of the EU (Canada and Switzerland).

At first, this publication gives an overview of the international and European legal framework and system of promoting and protecting linguistic rights. The presentation of the countries as case studies is structured following an alphabetic order of the selected case studies. Within each specific section dedicated to a particular state, the use of languages is presented following the different domains based on the Council of Europe European Charter for Regional or Minority Languages, that is:

- analysis of the use of language in education;
- analysis of the use of language in judiciary;
- analysis of the use of language in public sector;
- analysis of the use of language in media;
- analysis of the use of language in cultural activities and facilities;
- analysis of the use of language in economic and social life.

After each section, a list of consulted resources and literature is presented.

The publication presents the results of the research conducted in the Language Implementation Agency using secondary resources, mainly legal acts, official reports, and academic literature. The secondary analysis in this publication is based on official sources from state institutions published online, as well as sources and literature available to the authors.

2 International and European legal framework protecting and promoting use of minority and regional languages

2.1 International legal framework

The International Human Rights Law is part of the public international law (the law of nations) which sets the international legal norms, rules, principles for the protection of the human rights and fundamental freedoms of every individual human being. These norms, rules and principles establish the legally acceptable and, in theory, legally enforceable minimum standards of conduct of government to protect the inherent human dignity of human beings. By human rights we mean something quite precise: a form of public international law creating rights for individuals and duties for states. As well as domestic and international remedies for violation of rights and failure of duties International human rights law is consisted by that set of international instruments and institutions which explicitly determine the human rights of persons.

When examining human rights, it is useful to start from their distinction. Andrew Vincent distinguishes classifications by 1) will or choice; 2) function in discourse; 3) what one has a right to do or expect from others; 4) correlatives; and 5) the substantive content (Vincent, 2010, p.16). This classification can be structured as to be clearer for understanding as in the Table 1 below.

Table 1 - Classification of human rights

Moral rights	Legal rights	Political rights
<p>1) Natural rights</p> <p>Human rights vis-a-vis creature of God</p> <p>Human vis-a-vis creature of nature and reason</p>	<p>1) Strict legal rights</p> <p>Humans as members of a legal association</p>	<p>1) Realpolitik political rights</p> <p>Rights as premised on membership of citizenship of a political association</p>
<p>2) Human Rights</p> <p>Human vis-a-vis moral autonomous agency</p>	<p>2) Human rights</p> <p>Humans as universally possessing equal rights under international law</p>	<p>2) Human rights</p> <p>Humans as citizens of a civil state association</p>

Human rights are classified and organized in several different ways. They can be distinguished according to: 1) the area they cover; 2) the time of their creation and legal foundation and 3) their subject. Human rights can be classified according to the theory of three generations by Karel Vasak in 1979. This distinction comes from the inspiration by the three elements of the French Revolution. The first-generation rights are the civil and political (liberte), the second generation are the economic, social and cultural rights (equalite) and the third generation comprises the solidarity rights (fraternite).

Following the first classification, human rights can be civil and political, economic, social, cultural and solidarity rights. The civil and political rights are established in Articles 3 – 21 of the Universal Declaration of Human Rights (UDHR) and in the International Covenant on Civil and Political Rights (ICCPR). Economic, social and cultural rights are guaranteed in Articles 22 – 28 of the UDHR and in the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Civil and political rights include the rights to life, liberty, security, privacy and property, the right to marry and found a family, the right to a fair trial, freedom from slavery, torture and arbitrary arrest, freedom of movement and to seek asylum, the right to a nationality, freedom of thought, conscience and religion, freedom of opinion and expression, freedom of assembly and association, and the rights to free elections universal suffrage and participation in public affairs.

Economic, social and cultural rights include the right to work and for a just reward, the right to form and join trade unions, the right to rest and leisure, and the periodic holidays with pay, the right to standard of living adequate to health and well-being, the right to social security, the right to education, and the right to participation in the cultural life of a community.

The third generation, solidarity rights comprise both individual and group type rights: the right of economic and social development, the right to self-determination, the rights to healthy environment, natural resources, the right to communicate and communication rights, right to participation in cultural heritage, right to intergenerational equality and sustainability, right to humanitarian assistance.

Human rights can be also classified in individual and group rights. From a communitarian perspective (Mitnick, 2006, p. 26) groups rights are second generation rights where emphasis is made on the importance of belonging to a distinctive community as an essential component. Defenders of group rights argue that for certain groups of people it may be legitimate to invoke specific rights, or specific interpretation of rights, which do not apply universally, and accession to these rights depends on a membership of a group. Groups may be religious, social, cultural, Indigenous, gender, sexual orientation, or other minority character. There is a common concern on whether such rights are understood as the rights of individuals – members to the group – or whether they are understood as rights that are accumulated to the group itself.

In practice, cultural differences and their forms can be accommodated through special legal or constitutional measures; some can be accommodated only if their members have certain 'group-specific

rights'. Young (1997), Levy (1997) and Kymlicka (2011) call these rights 'group differentiated' rights, rights that are developed to accommodate group-specific measures for national and ethnic differences. Pogge (1997), on the other hand distinguishes three types of group rights: 1) group rights proper or simply group rights (rights belonging to a group as a group); 2) group-specific rights (rights belonging to members of certain group rather than all groups; and 3) group-statistical rights (rights that protect or enhance the aggregate status of the members of a group).

In the Universal Declaration of Human Rights, rights belong to each individual and they are purely individual rights. In specific Article 2 states that everyone is entitled to all the rights and freedoms without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

The International Covenant on Civil and Political Rights also puts emphasis on the individual rights; however, the use of those rights is specially protected. For example. Art. 14, para. 3 states that a person criminally charged in the determination any criminal charge against him, shall be entitled to the minimum guarantees, such as full equality in terms of informing the person about the process in detail in a language which the person understands. In the same article, it is stated that a person must have the free assistance of an interpreter if he cannot understand or speak the language used in court [Art. 14, (3) (f)]. Of a particular importance in this international legal document is the provisions of Article 27 where the ethnic, religious, or linguistic minorities are protected. This article states that where these minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

2.2 European legal framework

2.2.1 Council of Europe

As an international organization the Council of Europe (CoE) with 46 Member States contents itself with the two official languages English and French, although a citizen's first access to the European Court of Human Rights (Eur. Court H.R.) may be made in any official language of a Member State.¹

What is important to note that the use of language as a right within the CoE legal framework is explicitly put under minority rights lexus. On a more general level, a person's language (a mother tongue or not) and the freedom to use one's own language has been considered as an individual human right forming part of the right to respect one's private life (At. 8 of the European Convention on Human Rights). In the European Convention on Human Rights in several provisions the right to use one's own language is guaranteed within the Art. 5 (right to liberty and security) whereas it is stated that "Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him."; in Art. 6 (right to a fair trial) whereas it is stated that "Everyone charged with a criminal offence has the following minimum rights: (a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him" and " (e) to have the free assistance of an interpreter if he cannot understand or speak the language used in court".

The European Charter for Regional or Minority Languages represents a European convention for the protection and promotion of languages used by traditional minorities. The charter is an important document which was adopted as a convention on 25 June 1992 and entered into force on 1 March 1998. One decade later the charter was subject to changes in the monitoring mechanisms, and these entered into force on 1 July 2019. The charter covers a comprehensive list of languages,

¹ Rule 34 (2) of the Rules of Court (July 2007) of the Eur. Court H.R., available at: <http://www.echr.coe.int>

and it covers 79 languages used by 201 national minorities or linguistic groups (CoE, 2020). The aim of this important document is to protect and promote the historical regional or minority languages of Europe. *“It was adopted, on the one hand, in order to maintain and to develop the Europe's cultural traditions and heritage, and on the other, to respect an inalienable and commonly recognised right to use a regional or minority language in private and public life.”* (CoE, n.a).

The European Charter for Regional or Minority Languages sets out several specific measures to promote the use of regional or minority languages in public life. These measures cover several areas from education (Art. 8), justice (Art. 9), administrative authorities and public services (10), media (Art. 11), cultural activities and facilities (Art. 12), to economic and social activities and trans frontier exchanges (Art. 13).

2.2.2 European Union

The European Union (EU) as an organism is a sui generis organization and it's placed as a type between a traditional International Organisation and a traditional State. Considering these its policies and legal framework can be compared both with other international organisation but as well as with other states.

When we look at states' example, we can see that the more common are multilingual States without a lingua franca. For example, in bilingual Canada, all federal laws are published in both official languages, and the citizens may correspond with the federal authorities in either of those languages.² In quadrilingual Switzerland, some restrictions to the use of the languages apply: of the four State languages listed in Art. 4 of the Constitution³, according to Art. 70 (1) of the same Constitution only three are general official languages of the federation. In trilingual Belgium, the publication of legal texts in German, which is spoken there only by a tiny minority, is not systematic.⁴ In these states (and others with similar framework) it cannot be guaranteed that in communications between the government and the citizen both sides use the same language. Insofar as the government is obligated to use the language chosen by the citizen, it may be forced to rely on the services of a translator or an interpreter (Schilling, 2008).

If we look how other international organizations regular language use, we can see different examples. In the United Nations there are only

² Section 16 (1) of the Canadian Charter of Rights and Freedoms

³ English translation available at <https://www.fedlex.admin.ch/eli/cc/1999/404/en> , last accessed May, 2022.

⁴ According to Article 76 of the Gesetz über institutionelle Reformen für die deutschsprachige Gemeinschaft vom 31.12.1983. Inoffizielle koordinierte Übersetzung des Gesetzes (Law on Institutional Reforms for the German Language Community of 31 December 1983. Unofficial coordinated translation of the law), Belgisches Staatsblatt (Belgian Gazette) of 18 January 1984, an official German translation of legal texts is provided in accordance with the available budgetary means. While those translations are promulgated by the King, they do not appear to be authentic versions of the law translated.

five charter languages (Art. 111 of the UN Charter) and the Arabic being an additional official language. (Art. 111 of the UN Charter). The World Trade Organization with 151 Member States makes do with the three official languages English, French and Spanish (Art. XVI (6) of the Agreement Establishing the World Trade Organization).⁵ We have seen the framework of the Council of Europe as an organization above.

When we look at from a comparative perspective, we can see that multilingual States with a lingua franca deem it sufficient to install the lingua franca — which they regularly have created themselves — as the only nationwide official language (Schilling, 2008: 1224). Schilling (2007: 1224) has pointed out that on the other hand States without a lingua franca, have all major languages nationwide as official languages, with some restrictions and provisions for languages of very small minorities like Romansh in Switzerland or German in Belgium or the 13 languages not made into official languages in South Africa. From an international organization point of view, only few languages are official, mainly English and French as dominant in international relations. In the case of both multilingual States without a lingua franca and International Organisations, the services of a translator/interpreter are indispensable for communications between public authorities and citizens while the responsibility for securing such services depends on the respective situation (Schilling, 2008: 1224).

The EU promotes language-learning by its citizens,⁶ true to the beautiful Slovakian proverb, quoted by the European Commission as motto of its multilingualism communication (European Commission, 2006), according to which “[t]he more languages you know, the more of a person you are”⁷. Like the situation in a multilingual State without a lingua franca, many of the languages spoken within the EU are made official languages of the EU. As of 1st January 2007, the EU has 23

⁵ Art. XVI (6) of the Agreement Establishing the World Trade Organization.

⁶ Art. 165 (2) of the Treaty Establishing the European Community

⁷ Kol'ko jazykov vieš, tol'kokrát si človekom“

official languages, Luxembourgish being the only nation-wide official language, which is not, at the same time, an official language of the EU. In contrast to what normally applies in multilingual States, but reflecting the international character of the EU, the selection criterion for EU official languages is not so much the number of speakers of a language within the EU, but the fact that it is, or is not, a State-wide official language of a Member State (Schilling, 2008: 1225).

The freedom to use one's own language has been considered as an individual human right forming part of the right to respect one's dignity which is protected expressly under Article 1 of the Charter of Fundamental Rights of the European Union (EU Fundamental Rights Charter) (European Union, 2012). However human dignity is a general label and can comprise many elements. It is not specified whether the right to use your own language is specifically conditioned and part of human dignity. Not every claim which may be packaged under the label of freedom of language can be subsumed under the right to privacy or the protection of human dignity, and even claims which can be so subsumed will be protected against interferences only within the limits provided for in the respective human rights provisions (Schilling, 2008: 1227). The EU Fundamental Rights Charter specifically mentions the use of own language in one article. For example, under the freedom of good administration (Art. 41, para.4)) the charter states that "Every person may write to the institutions of the Union in one of the languages of the Treaties and must have an answer in the same language".

The Art. 2 of the Consolidated version of the Treaty on European Union states that "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail. In Art. 6 it is stated that "The Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Such accession shall not affect the Union's competences as defined in the Treaties. Fundamental rights, as guaranteed by the European

Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law." Stated as such, Schilling (2008: 1231) argues that "*founding the Union on certain values is not equivalent to making any international provisions protecting specific configurations of such values the basis of general principles of the Union's law*".

Nevertheless, as an international organization, EU has a well-developed system of language rules, since there are the 23 Treaty languages, and most of the legal texts of the EU are published in all of them. This is to say, that from an institutional point of view EU adopts the multilingualism principle. The Treaties do not list official or working EU languages but indicate which language versions of the Treaties are considered original and authentic. More specifically, Article 55 TEU indicates the 24 languages in which the Treaty's text is considered original: Bulgarian, Spanish, Czech, Danish, German, Estonian, Greek, English, French, Croatian, Irish, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Finnish and Swedish. The text of the Treaty is 'equally authentic' in each of these languages, i.e. from a legal standpoint they are all considered original versions. However, Article 55(1) provides the list of Treaty languages, but not the full list of official languages of the EU or working languages of the institutions (European Parliament, 2017). Article 55(2) TEU states that the Treaty may be translated into other languages that are official in all or part of a Member State under its domestic constitutional order. The Member State concerned then submits a certified copy of the translation to the Council. Article 342 TFEU provides that the rules governing the languages of the institutions of the Union are laid down by the Council in regulations adopted unanimously. There is a practice of amending these two regulations every time a new Member State, wishing its language to be added to the list, joins the EU. Some arguable point out that there is no same meaning in two texts with two different languages (Schilling, 2010). Scholars point out that differences in the meaning of legal texts may arise owing to a broader context, encompassing national legal culture, the general culture of a given society, as well as the entire

socio-economic context in which a given language is embedded (Sieročka, 2014).

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3 Use of languages in a comparative perspective

3.1 The case of Belgium

The Kingdom of Belgium is a country in Northwestern Europe, bordering with Netherlands, Germany, Luxembourg, France, and the North Sea. It is one of the smallest and most densely populated European countries, and it has been, since its independence in 1830, a representative democracy headed by a hereditary constitutional monarch. Belgium has four language areas and three official languages according to the Flemish Rand Documentation Center analysis (Documentatiecentrum-Vlaamse Rand, 2010).

The three official languages of Belgium are Dutch, French and German. The Belgian language regime is based on the existence of four language areas: German-speaking area, French-speaking area, Dutch-speaking area and bilingual region Brussels-capital French / Dutch).

The division of language areas and language boundaries established by the Language law of 8 November 1962 (EURYDICE, 2021) is specifically designed to determine the scope of legislation on the use of language in the education system and the administration and Ordinances of communities.

As a result, Belgium is divided into four language areas: the Dutch area, the French area, the German area and the bilingual Dutch-French area (the 19 municipalities of Brussels). Each municipality in Belgium is unequivocally part of only one of the four language areas. This division was included in the Constitution of Belgium from 1970⁸. The so-called principle of territoriality was constitutionally protected, i.e. the principle that one language is the official language of a certain territory (or in Brussels: two languages). The term language area also

⁸The Constitution of Belgium (Dutch: Belgische Grondwet, French: Constitution belge, German: Verfassung Belgiens) dates back to 1831. Since then Belgium has been a parliamentary monarchy that applies the principles of ministerial responsibility for the government policy and the Trias Politica. The Constitution established Belgium as a centralised, unitary state. However, since 1970, through successive state reforms, Belgium has gradually evolved into a federal state.

has legal significance. Determine the fact that the regional language should be used for certain questions.

Since the 1960s, the Belgian state has undergone some radical changes. The Belgian unitary state was transformed into a federal state with two types of federal entities, regions and communities. This also had implications for the language legislation, which until then had been administered at national level and was applicable throughout Belgium. As a result, the Flemish and French language communities can regulate the use of language in most of the above domains in their own language area with the help of their own language legislation (acts) (Documentatiecentrum-Vlaamse Rand, 2010).

According to the amendments to the Constitution of the Kingdom of Belgium from 1831, several constitutional changes were made during the years 1970, 1980, 1993, 2001, 2012-2014 (Constituteproject, n/a).

According to Articles 2 and 3 of the Constitution of the Kingdom of Belgium from 2014, Belgium is divided and organized into three geographical regions and four linguistic regions. Communities within the boundaries of language regions can only be changed by a law passed by a double majority⁹. Issues relating exclusively to communities are resolved by the regional community council.

The geographical regions of the Kingdom of Belgium are:

- The Walloon Region,
- The Flemish Region and
- The Brussels region.

⁹ A double majority in each language group in both houses of the Federal Parliament of the Kingdom of Belgium may change the language boundaries, as well as a two-thirds majority of the total number of elected members of the Federal Parliament. The regional council was responsible for issues of culture, education, and inter-community cooperation.

The linguistic regions in the Kingdom of Belgium are:

- French-speaking Region,
- Dutch-speaking Region,
- German-speaking Region and
- The bilingual Region of Brussels-Capital (University of Ottawa, n/a).

The use of languages under Article 30 of the Belgian Constitution from 2014 is optional, as otherwise only the law can rule on this issue in the case of acts of public bodies and judicial affairs.

According to the Article 129 of the Belgian Constitution from 2014 the French and Dutch Community Councils rule by decree, in as much as each is concerned, excluding the federal legislator, on the use of language for:

- 1) administrative matters;
- 2) education in those establishments created, subsidized, and recognized by public authorities;
- 3) social relations between employers and their personnel, in addition to corporate acts and documents required by law and by regulations.

These decrees have force of law in French-language and in Dutch-language regions respectively except as concerns:

- those communes or groups of communes contiguous to another linguistic Region and in which the law prescribes or allows use of another language than that of the Region in which they are located. For these communes, a modification of the rules governing the use of languages as described in (1) may take place only through a law adopted by majority vote as described in Article 4, last paragraph;
- services the activities of which extend beyond the linguistic Region within which they are established;
- federal and international institutions designated by law, the activities of which are common to more than one Community. (Article 129 from the Constitution of Belgium of 2014)

Under the influence of these federal laws is the law on the Dutch language and the French-speaking regions. When it comes to changes and reforms related to the use of languages in judicial matters and the judicial district of Brussels, in relation to this issue and in relation to the public prosecutor's office and the level of jurisdiction, it can be done only by a law passed by a majority vote (Article 4, Constitution of Belgium of 1831).

Although the term 'minority languages' is not officially stated in any legal texts in Belgium, there are de facto linguistic minorities in the individual language areas.

On the one hand, there are the numerous immigrant families who (still) speak their respective language (particularly those from Italy, Spain, Turkey, Kurdistan, Portugal, and Arabic countries etc.) These languages have no official status in Belgium (EURYDICE, 2021).

In every monolingual area there are Belgians whose mother tongue is that of one of the other two language areas. They adapt to their language environment by learning, speaking and maintaining the local language. This also corresponds to the principle of territorial monolingualism, which legally determines the use of language.

In certain municipalities that directly refer to the language border, the percentage of those who speak a national language other than that of the affected municipality has always been quite significant (around 20-30%).

The legislation explicitly states that in these municipalities and only in these municipalities (they are listed in the statute), citizens of the linguistic minority can receive certain services in their mother tongue upon request. The local public office should be ready to be able to serve the citizens not only in the local language, but also in other national languages.

The same conditions apply to regional and federal offices, which means that every citizen has the legal right to use his or her own language in relation to legal authorities, even if they are not in the appropriate language area.

In addition to the three recognized national languages, Dutch, French and German, there are still many active indigenous regional languages (e.g. Walloon, Picard, Luxembourgish, Low German, etc.) that have certain associations that receive support and some degree of recognition from the authorities.

3.1.1 Use of language in education

The Law on the Language of Education of 30 July 1963 valid until 2004 (EURYDICE, 2022) prescribes the language in which general subjects should be taught in a nursery, primary and secondary education, and provided that in addition to French (as a second language) classes, German-speaking schools provide some other French language classes but did not establish which degree.

The language of instruction in the homogeneous area in the Dutch language is Dutch, except for all education in foreign languages. Brussels has no bilingual education; (officially, recognized or subsidized) school is taught in either Dutch or French.

In municipalities with language institutions, the language of instruction is Dutch. There is a different arrangement for the nursery and for primary education.

Schools are regularly inspected to see if they comply with all legal and regulatory provisions and quality standards. In the pedagogical inspection, the Inspectorate for Secondary Education of the Ministry of Flemish Community, as well as the Inspectorate for Primary Education also confirm the compliance with the legislation on language education. The Language Inspectorate, a federal institution, is responsible for checking students' language systems (Documentatiecentrum-Vlaamse Rand, 2010).

In general, in Belgium the language of education is that of the respective language area. Hence, the language of education is German in the German-speaking area, Dutch in the Dutch-speaking area, French in the French-speaking area, French or Dutch according to the

choice of the head of the family in the bilingual Brussels-Capital Region.

Multiple municipalities along the language border of the Dutch-speaking area and the French-speaking area, and all nine of the German-speaking municipalities, are considered municipalities with linguistic facilities for the other language minority (EURYDICE, 2022) which uphold the opportunity to not only be served by the administration in their language, but also that their children receive their primary education in that language as well.

The language of education in the German-speaking area is German, except for the French primary schools and departments legally provided for the francophone minority in the area, where language of education is French.

Without going into further detail, two other points of significance need to be made on the topic. Almost every secondary school teacher is trained in the French language in the French-speaking part of the country, thus giving them a good command of the specific terminology used in this language (EURYDICE, 2022). But the same does not necessarily hold true in German, which is the mandatory language of education in the German-speaking Community.

Due to the small number of students, large publishers in Belgium do not distribute or publish textbooks or other classroom materials in German, which means that classroom materials must be compiled by the teachers themselves or commissioned from other German-speaking countries (EURYDICE, 2021).

The French and Dutch education systems in the capital are separate, and parents can decide which school their children would like to attend - Dutch or French. Because of their freedom to decide, many students who speak French at the request of their parents choose to attend Dutch schools. As a consequence, schools in Brussels show high levels of heterogeneity (Mattewie & Van Mensel 2020).

There are three language-related differences between the education systems of the four communities: the number and age at which they start learning and which foreign languages (FL) are taught (Mattewie & Van Mensel 2020). The German community as the smallest in the country boasts the largest number of foreign language classes (Mattewie & Van Mensel 2020), while Wallonia and Flanders no longer seem to want to learn the language of the "other". Although French and Dutch are the official languages today, some differences between the two are still visible, given the fact that while in Flanders, learning French is compulsory, while in the Walloon region Dutch is not a compulsory school subject (Volg & Hüning 2010). Students in Francophone Wallonia learn the first foreign language they need to learn (FL1) for free in both primary and secondary school, while in Brussels FL1 is compulsory for students in the Netherlands, although they can still choose a second or third foreign language. In both Brussels and Flanders, English language learning has recently intensified with the reduction of French language classes. The success of English at the expense of Dutch in Wallonia is also increasing: students' choice of English as FL1 is progressively growing in popularity. The rise of Anglicanism among the younger generation is likely to be fueled by new channels introduced by new technologies, whose networks nowadays connect the world, such as TV, music, the Internet and social media (Media Leonardi, 2021).

In Belgian society there are mainly two contrasting discourses on multilingualism. The first promotes learning - and thus maintenance - in multiple languages and responds to the globalizing movement (which promotes English, especially at the expense of learning Dutch in Wallonia), as well as the cultural need to know national languages. It is noted that despite being a multilingual nation, official bilingual school curricula are not present in the country, which is probably a consequence of its socio-political past of tensions. Following the legislation of 1963, bilingual and multilingual education was not even allowed in Belgium (Mattewie & Van Mensel 2020). Although rare, CLIL (Integrated Content and Language Learning) programs are an example of education where some subjects are taught in a different language to improve the language learning process. In the Dutch

community only nine secondary schools have adopted CLIL programs - five of which have opted for English as the language of instruction instead of French - while in Wallonia this type of curriculum has been introduced in schools not only in secondary but also in pre-school and primary education (Volg & Hüning 2010). Those who attend CLIL are usually the elite, which goes hand in hand with the fact that the main reason why parents choose to enroll their children in such school programs is the quality of such institutions (Media Leonardi, 2021).

3.1.2 Use of language in judiciary

One of Belgium's first language laws is the Act of 17 August 1873, which regulates the use of languages in criminal proceedings. Dutch was introduced as the main language of criminal justice in the Flemish provinces, although French could be used with the consent of the defendant. Previously, judges could refuse to understand the Dutch language in relation to language freedom. The Law of 15 June 1935 regulated the use of language in all courts.

The rules governing the use of language in court cases in Belgium are based on the following principles:

- monolingual court documents and justice;
- principle of territoriality for justice in the areas of Dutch and French;
- principle of a person for justice in the area of Brussels-Capital and in the municipalities in the periphery;
- freedom of use of language for citizens - mandatory nature of language legislation.

All these principles guarantee that language law in court cases is perfectly linked to the whole logic of the distribution of language areas and that it is strictly enforced.

The monolingual nature of justice means that any trial, from the summons to the execution of the judgment, can only take place in one language. It is the language of the seat of the court, and thus the territorial jurisdiction of the court, which determines the language of justice. In addition, the parties may jointly agree to refer the case to a court in another language area. In criminal cases, witnesses and defendants can always use the language of their choice.

In the Brussels-Capital area, claims can be in one of two languages. In the suburban municipalities and the police courts in Wilford and Halle, a request can be made before the trial begins, to refer the case to a French-speaking judge in Brussels. In the linguistic boundaries of the municipalities of Komen-Wasten and Warren and in the area of the German language there is a possibility to change the language of justice (Documentatiecentrum-Vlaamse Rand, 2010).

3.1.3 Use of language in public sector

Language legislation in administrative matters determines the language or languages in which the government should communicate with its citizens, and sometimes vice versa.

The laws of languages of 8 August 1962 and 2 August 1963 laid down several basic rules in this regard (Documentatiecentrum-Vlaamse Rand, 2010).

These two language acts in 1966 were translated into the Law on Languages for Administrative Affairs, which is valid throughout Belgium.

The government in its relations with the citizen can use only the official language in the area where the citizen lives according to the constitutional principle of territoriality. The language to be used in that way does not depend on where the government is formed, but on the place where the mentioned government uses its competencies.

The Belgian constitution recognizes only one bilingual region: nineteen municipalities in the Brussels-Capital region. An integral part of the Dutch language area are the six municipalities with language facilities on the Flemish periphery. Since the constitutional reform in 1993, these municipalities have also been part of the federal entity known as Flanders. Thus, the measures imposed by the Flemish authorities on the implementation of language legislation are also applicable to municipalities with language institutions on the Flemish periphery.

In addition, language institutions refer only to individual residents and not to the directors of these municipalities with language institutions. Under the Administrative Language Act, these Flemish municipalities with language facilities can only be managed in Dutch. All meetings of the municipal council and the mayor and the Germans should be held in Dutch.

In many situations, the government is obliged to deviate from the basic rules or has the opportunity to do so. The principle is that the use of another language will not lead to systematic multilingualism. The regional language continues to be the official language.

Civil servants and officials who circumvent the language law or choose not to apply it can be disciplined.

Actions in this language can be declared null and void if the department uses the wrong language. It is then considered that the action never existed and no consequences will be attached.

As with other laws, language laws can be enforced by the courts or by the government. For a special category of administrative decisions, administrative acts, an appeal can be submitted to the State Council. It has the power to destroy such administrative acts. In addition, a number of bodies have been created that are solely responsible for language legislation.

The Standing Committee on Language Control examines all complaints concerning the application of language legislation relating to administrative acts throughout Belgium. After examining the complaint, he then formulates an advisory opinion. These advisory

opinions have great moral authority but are not legally binding. If the perpetrator persists, the Standing Committee has the opportunity to appeal the case to the State Council or take the case to court.

In nineteen municipalities in Brussels, the Vice-Governor of the Brussels-Capital Region, in addition to the aforementioned committee, also ensures that all departments comply with language laws. In municipalities with language facilities on the Flemish periphery, the Deputy Governor of the Flemish Province of Brabant ensures compliance with language laws (Documentatiecentrum-Vlaamse Rand, 2010).

3.1.4 Use of language in media

The development of the media is rooted in the tradition of high political parallelism in Belgium as a consolidated liberal country with strong liberal institutions and freedom of the press anchored in the 1831 constitution. The media reflected the cultural and social division of time, and this explains why French, which was the cultural language of the elite, even in the northern Flemish-speaking area, initially dominated the historical development of the print media (Evens and Raeymaeckers, n/a).

The regulation of Belgium's media space reflects the cultural structure of the country. The French, Flemish and German language communities are served mainly by separate public and private operators. Belgium does not have a single public service broadcaster.

Media ownership is highly concentrated. Most newspapers, TV and radio stations are owned by a small number of Belgian companies. The largest private media group is De Persgroep (BBC, 2018).

According to Evens and Raeymaeckers (n/a) there are four newspapers at Dutch languages: Het Nieuwsblad, Het Laatste Nieuws, De Standaard, De Morgen, one Dutch-language public broadcaster-VRT, two Dutch-language commercial broadcaster-VTM and Vier, one at German language: Grenz-Echo, one German language public broadcaster-BelgischerRundfunk, two French language daily-Le Soir,

La Libre Belgique, one French-language public broadcaster-RTBF and one French-language commercial broadcaster-RTL and one English-language news site of Dutch-language public broadcaster-Flandersnews.be (BBC, 2018).

3.1.5 Use of language in cultural activities and facilities

In Wallonia, far from being a problem, this freedom offered in the choice of "foreign" languages is widely used, with Dutch and English being taught by an equal number of students (Hambye, 2009). However, it is important to emphasize that this proclaimed openness to multilingualism does not manifest itself specifically in relation to students' multilingual skills. While 60% of Flemings say they are trilingual (Dutch-French-English), only 10% fall into this category in Wallonia (with 24% being considered fluent in French and English).

The above data provide a good illustration of the fact that despite their minority position, French speakers in Belgium do not tend to see bilingualism as a necessity and therefore adopt views of multiculturalism that are typical of a dominant linguistic group. In contrast, the Frenchization of Dutch speakers has long been the result and instrument of their minority in the Belgian state (similar to the anglicization of French speakers in Canada) before being the subject of political measures to transform the balance of power. Recent changes, however, reveal a change in the attitude of Belgians towards multilingualism, which shows both the impact of globalization and the transformation of the power relationship between language communities (Hambye, 2009).

Unlike countries like Canada or the United States, Belgium never identified itself with a cultural or linguistic mosaic or pot but imagined itself to be a nation of its own, and then later as a meeting of two (or three) peoples, each with specific cultural and linguistic identity. In this context, the integration of immigrants necessarily takes place through their assimilation. It should be noted that due to their diversity and uncontrolled nature, current migration flows contribute to transforming the view of the population in countries like Belgium

for themselves and jeopardize the myth of linguistic and cultural homogeneity of different regions of the country.

3.1.6 Use of language in economic and social life

According to the Article 12 of the Report of the Committee on Legal Affairs and Human Rights (CoE Committee on Legal Affairs and Human Rights, 2002) measures taken for the sole purpose of protecting ethnic groups, fostering their appropriate development and ensuring that they are granted equal rights and treatment with respect to the rest of the population in the administrative, political, economic, social and cultural fields and in other spheres shall not be considered as discrimination.

The competence of the communities is not entirely territorial: the powers of the Dutch-speaking and French-speaking communities extend not only to the Flemish and Walloon regions respectively (except for the small German-speaking region), but also to the region of the capital Brussels. Brussels is subject to the competences of the Brussels region in relation to economic issues and to the simultaneous competences of the French and Dutch speaking communities in relation to cultural and some social issues. This division is also reflected in the use of languages in the economic and business spheres.

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3.2 The case of Canada

Canada is a country in the northern part of North America. Its ten provinces and three territories extend from the Atlantic to the Pacific and northward into the Arctic Ocean, covering 9.98 million square kilometers (3.85 million square miles), making it the world's second-largest country by total area and the fourth-largest country by land area. Canada's border with the United States is the world's longest land border. Canada is sparsely populated, the majority of its land territory being dominated by forest and tundra and the Rocky Mountains; about four-fifths of the country's population of 35 million people live near the southern border (Statistics Canada, 2016).

What Canada has been for thousands of years, Indigenous peoples have been continuously inhabiting. From the 16th century, British and French expeditions explored and later settled along the Atlantic coast. With the unification of the three British North American colonies through the Confederacy in 1867, Canada was formed as the federal dominion of four provinces. This began with the aggregation of provinces and territories and the process of increasing the autonomy of the United Kingdom. Such extended autonomy was enshrined in the Westminster Statute of 1931 and culminated in the 1982 Canada Act, which severed the remnants of legal dependence on the Parliament of the United Kingdom. According to the state statistics (Statistics Canada, 2016) by first official language spoken and bilingualism the numbers show that 22.8% of the population in Canada speak French whereas 75.4% of the citizen speak English as their official language. According to the same statistics, we can see that the provinces with highest number of bilingual populations, are Quebec with 44.5% bilingual population, New Brunswick with 33.9% of the population and Yukon with 13.8% of the population.

Table 2 - Population by first official language spoken, Canada

First official language spoken	Percentage
French	22.8%
English	75.4%
Neither English nor French	1.8%

Source: Statistics Canada, 2016 Census, available at: 2016 Census of Population – Data products (statcan.gc.ca)

Legal framework

The main legal documents regulating the language use are the Constitution of Canada (Canada’s Constitution of 1867 with Amendments through 2011), the Official Language Act from 1969 and the Canadian Charter of rights and freedoms.

Official languages of Canada English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada. Furthermore, under Section 3 of the Canada’s Constitution of 1867 official languages English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick. Advancement of status and use nothing in this Charter limits the authority of Parliament or a legislature to advance the equality of status or use of English and French.

According to the, Section 133 of the Constitution Act, 1867 either the English or the French Language may be used by any Person in the

Debates of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec; and both those Languages shall be used in the respective Records and Journals of those Houses; and either of those Languages may be used by any Person or in any Pleading or Process in or issuing from any Court of Canada established under this Act, and in or from all or any of the Courts of Quebec. The Acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those Languages (Canada's Constitution of 1867 with Amendments through 2011).

Royal Commission on Bilingualism and Biculturalism, also known as the Laurendeau-Dunton Commission (named after its co-presidents), after many years of debates, published a final six volume report comprised of countless recommendations. Its most resounding recommendation remains that French and English should be granted official language status at the federal level in Canada. In 1969, following the main recommendations of the Lorendo-Danton Commission, the Canadian Parliament passed the Law on Official Languages, which gave English and French official status in organizations and institutions under federal jurisdiction. This law was the first language law in its own right to be passed by the federal parliament, which was repealed in 1988 and replaced by the new Law on Official Languages. Its main goal was to introduce official bilingualism through the Canadian federal government, not just the legislature (Boileau, 2013).

The Official Languages Act (1969) is a federal statute that makes English and French the official languages of Canada. All federal institutions are therefore required to provide services in English or French. This Act was passed on the recommendation of the Royal Commission on Bilingualism and Biculturalism (established by Prime Minister Lester B. Pearson) and came into force on 7 September 1969. It was established the Office of the Commissioner for Official Languages, which oversees their implementation (Office of the Commissioner of Official Languages, n/a).

The Law on Official Languages of 1969 has 39 sections. Following its brief title and the declaration of English and French as the official

languages of Canada, the law continues to describe the legal value of legal and other instruments. Explains that all regulations, rules, orders and bylaws required by any act of the Canadian Parliament to be published in the Official Gazette of Canada must be published and issued in both official languages (The Canadian Encyclopedia, 2019)

The part of the Law on Construction of Versions of Acts stipulates that when interpreting an act, its versions in each of the official languages are equally authentic (part 8). The law describes the duties of departments and other government bodies in relation to official languages (sections 9 to 11). He continues to frame the federal bilingual areas, setting the basic conditions for the formation of the subject areas (12 to 18). Further describes and sets out in detail the powers, role, status and salary of the Commissioner, as well as the limitations of the Commissioner's mandate. Special attention is paid to describing the procedure by which citizens can file complaints to the Commissioner regarding the application of the Law and the manner in which the Commissioner should examine those complaints (sections 19 to 35) (The Canadian Encyclopedia, 2019)

Then, the interpretation section of the Law defines a number of concepts (for example: "court of records", "Region of the national capital", "enactment", "mother tongue" and "institution of parliament"). The nature of the Act can also be seen here, with the concept of "official languages of Canada" being defined for the purposes of all other previous acts of the Canadian Parliament. Finally, the law provides that none of its provisions should be construed as affecting the customary status acquired by any language other than the official language of Canada (sections 35 to 38). The Act also provides that the appointment and promotion of staff in the Canadian Civil Service will be gradually brought into line with the Official Languages Act (section 39) (The Canadian Encyclopedia, 2019).

New Brunswick passed its Official Languages Act in 1969, introducing official bilingualism, while Ontario decided to provide French-language services in restricted areas. In 1988, it was repealed and replaced by a new Law on Official Languages, mainly to promote the official rights of linguistic minorities.

Institutional framework

The Commissioner of Official Languages of Canada is an agent of Parliament appointed by commission, after approval by resolution of the Senate and House of Commons is the Commissioner of Official Languages of Canada. The Commissioner reports directly to Parliament.

The Commissioner, upon the expiration of his first or any subsequent term of office, is eligible to be re-appointed for a further term not exceeding seven years.

The duty of the commissioner is to take all activities and measures within the powers of the commissioner in order to ensure the recognition of the status of each of the official languages and compliance with the purpose of this law in managing the affairs of federal institutions.

Furthermore, he has a mandate to take all measures within his power to ensure that the three main objectives of the Law on Official Languages are met:

- Ensure equality of English and French in Parliament, the Government of Canada, the federal administration and the institutions subject to the Law on Official Languages;
- Promoting English and French language equality in Canadian society;
- Support for the preservation and development of official language minority communities in Canada;

The Secretariat of the Finance Committee of Canada is the central agency responsible for approving strategic directions and policies related to sections IV, V and VI of the Law on Official Languages. It also plays a role in implementing other provisions of the Law on Official Languages. The Office of the Director-General for Human Resources is responsible for evaluating official language programs in federal institutions. In essence, the Office of the Director-General for Human

Resources is responsible for coordinating and overall developing principles and programs related to:

- use of English and French as a working language
- communication and public services in both official languages, and
- Equal participation of English-speaking Canadians in federal institutions.

Canadian Heritage is responsible for coordinating the activities of Section VII of the Official Languages Act, which specifically addresses the federal government's commitment to supporting the strengthening and vitality risk of the English and French minority communities.

The secretariat is responsible for coordinating files related to the official languages of the government.

The Department of Justice of Canada, represents the government in cases involving language rights and advises on legal issues related to the use and status of official languages.

The Public Service Commission of Canada as a central agency is responsible for enforcing the Civil Service Law is the Public Services Commission of Canada. It plays a key role in monitoring the implementation of language provisions for public service employees. Order to exclude official languages from public service.

The Canadian School of Public Service offers a selection of online language maintenance tools at Campus, including official language courses and preparation for the Civil Service Commission's second language proficiency tests.

The provision of language training has been completely outsourced to the private sector, since 2016, Departments may contact the service provider of their choice directly or use the official language training services of Public Services and Procurement in Canada. The school no longer provides language learning advice and quality assurance

services for language training and is now focusing on developing products to maintain language skills.

The House Standing Committee on Official Languages and the Senate Standing Committee on Official Languages review reports submitted to Parliament by the Commissioner for Official Languages, the Chairman of the Finance Committee and the Minister for Canadian Heritage and Official Languages, and monitor the implementation of the Official Languages Act (Office of the Commissioner of Official Languages, 2021).

3.2.1 Use of language in education

According to the Section 23 of the Canadian Charter of Rights and Freedoms, citizens of Canada whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province, have the right to have their children receive primary and secondary school instruction in that language in that province (Government of Canada, 2022a).

Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.

Early learning and childcare access to quality childcare services in a minority Francophone environment is essential to ensure the promotion and transmission of the French language among children. This is why the 2018-2023 Action Plan has awarded \$ 20 million over five years to two Canada Employment and Social Development Initiatives (ESDCs) to encourage early childhood development capacity by educators to open more day care centers and child care services as well as to support vocational training for child care workers (Government of Canada, 2022b). The Association of Colleges

and Universities of the Canadian Francophonie (ACUFC) in 2019–2020 prepared a report on the status of early childhood education in Francophone minority communities. The study provides territorial and provincial surveys; lists the best practices for initial and continuing training; and establishes standards for staff training. In November 2019, as part of the Early Childhood Development Entrepreneurship Initiative, EDSC signed an agreement with the Réseau de développement économique et d'employabilité Canada (RDÉE Canada) to coordinate and distribute funding to organizations in the Francophone minority in Canada. The aim was to support projects that promote the creation and development of early childhood services in these communities by offering opportunities for the professional development of entrepreneurs and the creation of administrative centers to ensure the best use of resources (Government of Canada, 2021).

2019-2020 brought greater awareness that the future of Francophone communities in Canada depends on building language security among Francophones, especially among young people. The Fédération de la jeunesse canadienne-Française (FJCF), with the support of the Canadian Heritage (PCH), developed the National Strategy for Linguistic Security so that "everyone can express themselves in French with endurance and pride". This initiative was created after the symposium held in May 2019 with over 158 participants, young and old, from different sectors (education, economy, health, legal and community organizations, culture, media, and youth) in all ten provinces and three territories.

Section 23 of the Canadian Charter of Rights and Freedoms from 1982 (Government of Canada, 2022c) recognizes the right of Canadian citizens belonging to the English or French minority in a province or territory to have their children educated in that language, at both primary and secondary levels, where what the number of students requires. Further to the report of the Royal Commission on Bilingualism and Biculturalism (Government of Canada, 1970), the Government of Canada recognizes that for provincial and territorial governments, the provision of minority language education and second-language instruction results in additional costs for the

provincial and territorial governments and is prepared to contribute in part toward these additional costs. In accordance with the Official Languages Act, the Government of Canada can undertake such measures as to encourage and assist provincial and territorial governments to offer members of official-language minority communities' education in their own language and to provide everyone with the opportunity to learn English and French as a second language (Protocol for Agreements, 2019-2020 to 2022-2023).

3.2.2 Use of language in judiciary

Under the Official Language Act, 1969 (Sections 14 and 15) English and French have equal status before the federal courts, and either of those languages may be used by any person in, or in any pleading in or process issuing from, any federal court. Every federal court has, in any proceedings before it, the duty to ensure that any person giving evidence before it may be heard in the official language of his choice, and that in being so heard the person will not be placed at a disadvantage by not being heard in the other official language. Also, every federal court has, in any proceedings conducted before it, the duty to ensure that, at the request of any party to the proceedings, facilities are made available for the simultaneous interpretation of the proceedings, including the evidence given and taken, from one official language into the other.

According to the Canadian Charter of Rights and Freedoms, English, and French “have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and Government of Canada,” (Joly, 2021) which includes federal courts. In accordance with the Criminal Code, for almost 30 years, persons accused of a crime have had the right to have their trial held in the official language of their choice from coast to coast to coast. One can also note the real progress in bilingualism being made in provincial courts. The Divorce Act in 2019 was amended to add a language rights provision (Joly, 2021). The provincial, federal, and territorial governments are working together closely on the gradual coming-into-force of this provision in the provinces and territories. Shortcomings persist in

terms of access to justice in one's official language. Canadians may encounter difficulties when trying to access all federal court decisions in the official language of their choice. These decisions may take time to translate or may simply never be available in both official languages. The government wants to amend the law to improve access to justice in both official languages in relation to final decisions in the public interest (Joly, 2021). Over the years, the Judicial Challenges Program has played an important role in accessing justice. The program, run by an independent organization, provides financial support for important cases under the Canadian Charter and the Law. The Law contributed to the protection and definition of language rights, especially in the field of education. This program, which has often contributed to precedent-setting cases, has been abolished on two separate occasions. It is therefore appropriate to enshrine the existence of the Judicial Challenges Program in the Act. At section 16, the Divorce Act provides for the right to be understood directly by the judge, without the assistance of an interpreter, before all federal courts. However, this provision creates an exception for the Supreme Court of Canada. The Government has already committed to appointing only functionally bilingual judges to the Supreme Court of Canada. In 2016, it introduced a process for appointing these judges that evaluates candidates' bilingualism. To reaffirm its commitment, the Government proposes to legislate on this aspect in the Act by amending subsection 16(1) and removing the exception that applies to the Supreme Court of Canada so that federal courts may fully recognize the equal status of the country's two official languages. The growing presence of highly qualified Indigenous jurists leads the Government to actively envision the appointment of Indigenous judges to the Supreme Court of Canada (Joly, 2021).

The Canadian legal system is based on two legal traditions: the civil law tradition, which applies in Quebec, and the common law tradition, which applies in the rest of Canada. While the Federal Court and the Federal Court of Appeal only hear cases that are subject to federal statutes, the Supreme Court can be called on to interpret legislation from either of these two legal traditions. Federal legislation is drafted simultaneously in both English and French, and both versions are

equally authoritative. The requirements set out in the Canadian Charter of Rights and Freedoms (Charter) and the Official Languages Act (OLA) mean that most federal legislation is co drafted (written in parallel) in both languages, rather than written in one language and then translated into the other. Common sense must govern the interpretation of bilingual laws, according to Karine McLaren, former Director of the University of Moncton's Centre de traduction et de terminologie juridiques, because the English and French versions of a law express the same concepts (Hudon, 2017). There may be two language versions of a law, but there can only be one intention of the legislator, and therefore one standard, which applies universally regardless of the language in which the law is read.

Language Requirements for Federal Courts

Verbal and written communications in federal courts can be in English or French. Section 133 from Constitution Act (1867) guarantees that both English and French can be used “in any Pleading or Process” before the Courts of Canada (and Quebec). Furthermore, section 133 stipulates that the Acts of the Parliament of Canada and of the Legislature of Quebec must be printed and published in both languages (Constitution Act,1867) (Hudon, 2017).Section 14 from Canadian Charter of Rights and Freedoms grants the right to the assistance of an interpreter during proceedings (Hudon, 2017).Section 16 from Canadian Charter of Rights and Freedoms states that English and French are the official languages of Canada and includes the principle, “ to advance the equality of status or use of English and French (Hudon, 2017). Section 19 from Canadian Charter of Rights and Freedoms establishes that either English or French may be used by any person in, or in any pleading in or process issuing from, any court established by Parliament (and any court of New Brunswick) (Hudon, 2017).

In addition to these general provisions, several Acts and regulations establish specific criteria with respect to official languages and these are the following Supreme Court Act, 1981, Rules of the Supreme Court Act of Canada, 2002, Federal Courts Act, 1985, Federal Courts

Rules, 1998, Tax Court of Canada Act, 1985, Tax Court of Canada Rules (General Procedure), 1990, Court Martial Appeal Court Rules, 2009 (Hudon, 2017).

Language Requirements for Legislative Instruments (Official Languages Act)

Acts of Parliament must be enacted, printed, and published in both English and French (section 6). The same conditions apply to legislative instruments made by the Governor in Council and ministers of the Crown, as well as all instruments made in the exercise of any executive power that are of a public and general nature, except for the ordinances and laws of the territories and instruments of a group of Aboriginal people (section 7). All rules, orders and regulations governing the proceedings of a federal court must also be made, printed, and published in both official languages (section 9). All the texts addressed in Part 2 must be made, enacted, printed, published or tabled simultaneously in both languages, and both language versions are equally authoritative (section 13) (Official Languages Act).

According to the Official Languages Act (OLA) English and French are the official languages of the federal courts, and they may be used in any pleading in or process issuing from any federal court (section 14); witnesses have the right to be heard in the official language of their choice and to ask that interpretation services be provided for them (section 15). Furthermore, there is a duty to ensure that judges of federal courts other than the Supreme Court understand the official languages in any proceedings before them (section 16); in cases where a federal institution is a party to civil proceedings, they use the official language chosen by the other parties or the one that makes the most sense in the circumstances (section 18); Pre-printed portions of forms used in proceedings before a federal court must be written in both languages, but can be filled out in one language only, provided that a translation may be made available upon request (section 19); Federal court decisions are published in both languages, depending on their significance or the language chosen by the litigants (section 20) (Hudon, 2017).

3.2.3 Use of language in public sector

Federal institutions designate facilities and offices that are bilingual to communicate and serve Canadians in the official language of their choice. They are identified in the Burolis database, which registers all federal public service points (Government of Canada, 2016). Tips on how to provide services in both official languages are available to civil servants. To assist and determine which offices must provide services in both official languages, there is a possibility to consult the Description of "Official Language Regulations (Communications and Public Services)". Answers and questions are also available for the exercise in re-applying the official language regulations. When developing or revising a program or service, institutions consider the decision of the Supreme Court of Canada in the CALDECH (Desrochers) case and apply an analytical network.

The current version of the Official Languages Act, 2017 gives English and French equal status in the Government of Canada. The law sets out obligations for about 200 federal institutions. In March 2018, as part of the Official Languages Action Plan 2018–2023: Investing in Our Future, the government undertook to “reconsider [government] community service offerings”. The review of official language regulations (communications and public services) (regulations) is directly in line with the government's commitment to official languages.

Not all federal offices must communicate with members of the public and provide them with services in both official languages.

Part IV of the Official Languages Act stipulates that member of the public in Canada have the right to use English or French when they communicate with: the head office or headquarters of federal institutions, offices located in the National Capital Region, the offices of an institution that reports directly to Parliament.

The regulations set out which of the 11,300 federal offices and points of service in Canada and abroad are required to provide services in both official languages. They are offices located in areas where there is significant demand, offices whose nature justifies providing

bilingual services (for example, embassies and consulates), offices that provide services to travelers.

Deputy heads ensure that the language obligations of offices of their institutions are determined according to the Official Language Act. Bilingual offices communicate with and provide services to members of the public in the official language chosen by the member of the public. In addition, deputy heads ensure that:

The institution actively offers communications with and services to the public at designated offices in both official languages. They respect the equal status of both official languages by making communications and services in both official languages available simultaneously and also respects the right of the public to receive communications and services in the official language of its choice when the public communicates with or receives services from a third party acting on behalf of the institution.

The institution meets its official languages obligations with regard to communications with and services to the public regardless of the method of communication used, and also informs employees, according to section 31 of the Official Languages Act, that the public's right to communicate with and receive services from the institution in the official language of the public's choice takes precedence over the language-of-work rights of employees (Government of Canada, 2012).

In 1969, the Government of Canada has strived to create a competent, bilingual federal public service to serve the public in the official language of their choice and to promote awareness and appreciation of linguistic duality. The Government of Canada is no longer the quasi-unilingual institution it was before 1969, when it was unable to offer all its services in French, even sometimes in Quebec. A clear majority of Canadians today say that official languages are part of the Canadian identity, and official language community organizations and institutions are supported more than ever. The Government of Canada must be exemplary in its implementation of the Act. However, shortcomings persist. For example, the realization of the vision of a public service where everyone works in the official language of their choice wherever this right applies remains a challenge. The

bilingualism of federal courts could also be improved. The coordination of the implementation of the Act within the machinery of government has been the subject of recurring criticism from community stakeholders, as has the limited effectiveness of the means available to ensure compliance with the Act's legislative provisions (Joly, 2021).

French and English are the official languages of Canada for all purposes of Parliament and Government of Canada and enjoy and enjoy equal status and equal rights regarding their use in all Parliament and Government institutions.

All written documents intended to inform the public, allegedly made or issued by or under the authority of Parliament or the Government of Canada or any judicial or administrative body, shall be published in both official languages.

All rules, regulations, ordinances and bylaws required by or under the authority of any Act of the Parliament of Canada to be published in the Official Gazette of Canada shall be issued in both official languages and shall be published in both official languages, except when the authority to adopt or issue such a rule, order, regulation or by-law considers that its drafting or issuance is urgent and that adopting or issuing it in both official languages would cause a delay which would be detrimental to the public interest, the order, regulation or bylaw will be adopted or issued in a copy in its version in one of the official languages.

All final decisions, orders, and judgments, including any reasons given for this, issued by any court, will be issued in both official languages where the decision, order or judgment determines a matter of law of general public interest where the proceedings leading to until its issuance was conducted in whole or in part in both official languages.

Where any final decision, order or judgment given by a body referred to in subparagraph (1) does not require that subsection to be rendered in both official languages, or reasons given for this should be taken in the opinion that its publication in both official languages would cause a delay that would harm the public interest or result in

injustice or difficulties for any party in the procedure leading to its issuance, decision, order or a judgment, including any reasons given therefor, shall be given first in its version in one of the official languages and then, within a reasonable period of time, in its version in the other effective from the moment the first is effective. (3) Nothing in subsection (1) or (2) shall be construed as prohibiting the oral rendition or delivery, in one only of the official languages, of any decision, order or judgment or any reasons given therefor.

All rules, orders and regulations governing the practice or procedure in any proceedings before a body described in subsection (1) shall be made in both official languages but where the body by which any such instrument is to be made is satisfied that its making in both official languages would occasion a delay resulting in injustice or hardship to any person or class of persons, the instrument shall be made in the first instance in its version in one of the official languages and thereafter as soon as possible in its version in the other, each such version to be effective from the time the first is effective (Section 5; paragraph 1,2,3,4).

Restriction of any Canadian law relating to the conviction of a person for a misdemeanor consisting of a breach of a rule, order, regulation or bylaw which at the time of the alleged misdemeanor was not published in the Official Gazette of Canada in both official languages , no instrument described in section 4 or 5 is invalid for the sole reason that it is not made or issued in accordance with those parts, unless in the case of any instrument described in section 4 it is determined by the person claiming his invalidity that the non-compliance is due to bad faith by the body from which the instrument was made or issued (Section 6).

Where, by or under the authority of the Government or Parliament of Canada or any judicial or administrative body, any notice, announcement or other matter shall be printed in a publication informing primarily members of the public living in the Region of the National Capital or Federal Bilingual Area established under this law, the subject matter shall, whenever possible, be published in one of the official languages of that region or region in at least one such

publication which appears in its entirety or in the official language in the other official language in the at least one such publication that appears in whole or in part in that other language, and shall be given as reasonably equally important in each such publication. (Section 7) (Office of the Commissioner of Official Languages, 2021).

3.2.4 Use of language in media

According to Sections 11 and 30 of the Official Languages Act when federal institutions want to communicate information about federal services and activities, they must make sure that it is equally available in English and French and that it is of equal quality in each official language. The goal is to provide all Canadians with information of equal quality in both official languages, regardless of where they live in Canada.

Federal institutions use the media to communicate with the public by announcing a new program, advertising an upcoming event, posting a job opportunity. In some cases, they must use written media to communicate official notices or advertisements. Federal institutions must use the available English and French written media to provide information of equal quality in each official language.

Federal institutions often choose to communicate through the print media. The best way to reach members of the public in their preferred official language is by publishing the information in English in an English-language publication and in French in a French-language publication. For official announcements and advertisements, federal agencies must always use written publications that are "in general circulation," meaning that they are readily available to the public by subscription, at kiosks, or free of charge. Examples include newspapers, magazines, and official websites of federal institutions. Federal institutions are free to choose which type of print media to use, unless the law requires a specific publication (for example, the Canada newspaper). But once the choice has been made, they must use the same type of media in both official languages (Office of the Commissioner of Official languages, n/a).

3.2.5 Use of language in cultural activities and facilities

In Canada, activities undertaken to maintain and promote cultural diversity are considered under two headings: multicultural policy and cultural policy.

Due to an active immigration policy, 31% of Canadians are of neither British nor French descent. This multicultural diversity eventually led to Canada's multicultural policy as seen in Section 27 of the Canadian Charter of Rights and Freedoms. This Charter aims at preserving and promoting the multicultural heritage of Canadians.

Policy in Canada is based on the Canadian Multiculturalism Act (from 1985) (Canada-Justice Laws Website, 2022) to preserve and enhance multiculturalism in Canada, to facilitate the preservation of language and culture, to promote cultural awareness and understanding, and to promote institutional change.

Responsibility for enforcing the Act lies with the Secretary of State for Multiculturalism and the Status of Women and the Minister of Canadian Heritage. Many programs are responsible for fulfilling this responsibility, for example, racial relations and intercultural understanding, support and community and cultural participation.

Canada has many regulations, acts, institutions, programs and activities created by the federal government, including established public services and institutions, such as direct funding, Canadian Broadcasting Corporation, financial incentives and investment incentives, tariffs, restrictions on Canadian ownership, Canadian content requirements, legal rights and international trade agreements. Their purpose is to provide Canadian cultural production by supporting creators and producers, strengthening domestic distribution infrastructure, and preserving cultural heritage for future generations.

The major government agencies that support, protect, or preserve Canadian culture are: Canadian Museum of Nature, National Arts Center, Canadian Arts Council, Canadian Broadcasting Corporation, National Film Board, Telefilm Canada, Canadian Television and Telecommunications, National Gallery of Canada, Canadian Museum

of Civilization, National Museum of Science and Technology, National Archives of Canada, and National Library of Canada.

3.2.6 Use of language in economic and social life

The relationships between second language skills, employability and business are valid areas of enquiry in the Canadian context. Canada welcomes immigrants from all parts of the world who speak many languages. They are a rich source of language knowledge and often maintain social and commercial ties with their countries of origin. The Government of Canada is committed to encouraging and promoting the use of Canada's official languages, particularly in regards to: developing a new official languages plan to support English and French linguistic minorities; ensuring that all federal services be delivered in full compliance with the Official Languages Act; establishing a free, online service for learning and retaining English and French as second languages; and making new investments to support CBC/Radio-Canada, a vital national institution that brings Canadians together, promotes and defends the country's two official languages, and supports Canada's shared culture.

The Government considers bilingualism asset for both local and regional economies and for international trade. Sharing a language promotes understanding and cements collaboration, which are powerful economic levers (Canadian Heritage, 2016).

New Brunswick has the second highest concentration of translators, terminologists, and interpreters in the workforce after Quebec, adjusted for population size (New Brunswick Canada, 2016). In addition to the private sector workers recorded in Statistics Canada data, the province has specialized university centers working in the field, including the Canadian Institute for Research on Language Minorities, the Centre de traduction et de terminologie juridique, and the International Observatory on Language Rights (Canadian Heritage, 2016) (Canadian Institute for Research on Linguistic Minorities, 2022).

Customer call centers and other back-office services, finance and insurance, language services, interprovincial and international trade and investment, tourism, education, and immigration have all benefitted from New Brunswick's bilingual status (Canadian Heritage, 2016).

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3.3 The case of Croatia

The Constitution of Republic of Croatia, Constitutional Law on the Rights of National Minorities, as well as the other laws and conventions (that the Republic of Croatia has ratified) guarantee Croatian citizens national equality and forbid discrimination on a national level. Special legal protections of national minorities allow them to preserve language, culture, religion, and identity in Croatia – establishing their full equality with the majority nation (Budimir. 2011). According to the Croatian Constitution, the Croatian language and the Latin script are in official use. Additionally, in individual local units, another language and script may be introduced into official use under conditions specified by the law. Constitutional Law on the Rights of National Minorities (Article 12) requires equal official use of languages and scripts of minorities in local or regional self-government units where the minority members constitute at least one third of the population.¹⁰ The most recent population census (2011) in Croatia noted such a situation in 23 units of local self-government.

Croatia has accepted, either through the process of succession or by its own volition, basically all treaties dealing with the protection of human rights in general or specifically with the protection of minorities. Within the United Nations, Croatia is a party to both International Covenants on Human Rights, then the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and others. Unlike former Yugoslavia, Croatia has also accepted the jurisdiction of various treaty-supervising bodies, such as the Human Rights Committee, authorised to receive individual petitions and claims against Croatia. As a member State of the UN, Croatia is also bound by the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 1992. However, this is not a treaty and should be interpreted accordingly.

¹⁰ This same provision can be enacted under the following terms: when it is envisioned by the international agreements signed by the Republic of Croatia or when it is decreed by the municipal, city, or county administration.

The above listed international instruments bring the most important rights of persons belonging to a minority: their right to existence, freedom from discrimination and their right to preserve their identity. In the latter respect, Article 27 of the International Covenant on Civil and Political Rights is often quoted as providing the basic rule: "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language." This article is seen as going beyond freedom from discrimination and as obliging State parties to adopt positive measures to respect and improve the rights of minority members (Capotori, 1979).

After becoming a member State of the Council of Europe, besides the European Convention on Human Rights and Fundamental Freedoms, Croatia accepted the only two international treaty instruments for the protection of minority rights in 1997: the European Charter for Regional and Minority Languages of 1992" and the Framework Convention for the Protection of National Minorities. The latter brings principles and general rules about the rights and freedoms of the members of national and some other minorities. Some of these rights and freedoms concern the use of minority languages, while the entire European Charter for Regional and Minority Languages is dedicated solely to this issue. Its object is the preservation and promotion of minority and regional languages as the cultural heritage of Europe.

The European Charter for Regional and Minority Languages provides for the use of minority languages in several fields, such as education, judiciary and administrative apparatus, media and culture, economic life and in transborder cooperation between States. In the words of its drafters, it was designed to preserve the European minority and regional languages as a "cultural wealth" of Europe by enabling as wide a recognition of these languages as possible. However, the Charter leaves a considerable margin of appreciation to States parties. First, they can choose whether they want to give a special status to some languages. When ratifying the European Charter Croatia chose seven languages as the languages granted the special protection:

Serbian, Italian, Hungarian, Czech, Slovak, Ukrainian and Ruthenian. In other words, the Croatian government recognized that these seven languages have enough speakers and have been in a traditional use in Croatia.

The Italian and Serbian are the two languages that we found to be mostly used as minority languages within the territory of Croatia, with many schools and public announcements published in both languages. Croatia's proximity and cultural connections to Italy and as part of former-Yugoslavia have led to a relatively large presence of Italians and Serbians in Croatia. Italians were recognized as a state minority in the Croatian Constitution in two sections: Istrian Italians and Dalmatian Italians. As of 2009, the Italian language is officially used in twenty cities and municipalities and ten other settlements in Croatia, according to the European Charter for Regional and Minority Languages.

Legal framework

There are several legal instruments that regulate the use of languages in Croatia.

The Constitution -guarantees national communities have the right to use their national symbols freely and, in order to preserve their national identity, the right to establish organizations and develop economic, language, cultural, scientific, and research activities, as well as activities in the field of public media and publishing.

The Law on the Use of Language and Script of National Minorities in the Republic of Croatia fills any existing gap between legal provisions and practical implementations and regulates the conditions of the official use of national minority languages and scripts "thereby ensuring equality with the Croatian language and Latin script".

The Law on education in languages and letters of national minorities ensures that education in language and letter of national minority is held in preschool facilities, primary and secondary schools, or other school facilities.

The Constitutional Law on the Rights of National Minorities in the Republic of Croatia guarantees that the rights and freedoms of the members of national minorities are fundamental human rights and freedoms, and they constitute an inseparable part of the democratic system in the Republic of Croatia and shall enjoy necessary support and protection, including relevant measures taken in favor of national minorities.

Cultural Autonomy in Croatia

Croatia along with Slovenia pioneered in adopting, since the very early 1990s, legislation explicitly referring to the notion of cultural autonomy. Specifically, under the almost identical wording of the common Article 15 of both the 1990 and the amended 2010 Constitution, the members of minorities are “guaranteed freedom to express their nationality, freedom to use their language and script, and cultural autonomy”. (Initial Periodical Report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter 1999). The Preamble of the 2010 Constitution specifies the minorities whose members are entitled to the aforementioned rights by declaring the Republic of Croatia as “the nation state of the Croatian nation and the state of the members of its national minorities: Serbs, Czechs, Slovaks, Italians, Hungarians, Jews, Germans, Austrians, Ukrainians, Ruthenians, Bosniaks, Slovenians, Montenegrins, Macedonians, Russians, Bulgarians, Poles, Roma, Romanians, Turks, Vlachs, Albanians and others...” (Yupsanis, 2013).

Istria

Istria is the biggest and northernmost peninsula in Croatia and the Adriatic. It lies in the northern part of the Adriatic, in Croatia, Slovenia, and Italy. Geographically, 90% of the Istrian peninsula is part of Croatia, while 9 % includes Slovenia.

Most Croatians live in the Croatian part of Istria (68.33%), while minorities make up a quarter of the population, of which Italians are the biggest group – 6%. In the Slovenian part, Slovenes make up the absolute majority population. Only 1% of the Istrian surface is part of

Italy. It includes only two small municipalities near Trieste, of which the majority of the inhabitants in one are Slovenes and in the other are Italians. According to the 2011 census (International Household Survey Network, 2014), 25% of people in Croatia declared their regional identity as Istrian, of which 12% live in Istria County, one of 20 Croatian counties. The name for a regional identity developed by a part of the citizens of Istria, mainly its Croatian part, is Istrianism. Thus, regional identification is more pronounced in Istria than in other parts of Croatia. (Total Croatia News, 2021)

Languages used in Istria are standard Italian which is in equal use with Croatian in institutions of local and regional government, schools and education institutions, media, and publishing activities. Other minority languages are used as well, but mostly in private spheres because they do not have official status in the region. The official status of Italian is recognized by the Statute of Istrian region, and this is the only official bilingual region in Croatia. In other parts of the country the minority languages are in official use only at the local level, not at the regional.

Serbian national minority in the Republic of Croatia

The Serbian language is one of the officially recognized minority languages in Croatia its use is most prevalent in municipalities of Dvor, Gvozd, Jagonjak, Sodolovci, Borovo Trpinja, Markusica, Negoslavci, Biskupija, Ervenik, Kistanje, Grcac, Udbina, Vrbovski, Donji Kukuruzari, Erdut and Vukovar according to the provisions of law, are obliged to grant equal co-official use of Serbian language and Serbian Cyrillic alphabet.

The population census of the year 2011 shows that 90.42% of the citizens of the Republic of Croatia declared themselves as Croatian (Croatian Bureau of Statistics, 2011). The rest of the citizens are members of national minorities. The Croatian constitution recognizes 22 such minorities, with the Serbian minority being the largest (186,633 citizens). In some parts of Croatia, this minority constitutes the ethnic majority. Additionally, according to the latest population census, the Serbian minority exceeds a third of the population in 21

municipalities and two cities. Since 2002, requirements in terms of use of the official minority language at any local administrative unit state that the 33% of its population must belong to the corresponding minority (according to the previous legislation, this limit stood at 50%). The Serbian national minority constitutes an absolute majority (more than 50% of the population) in 17 municipalities and a relative majority (34-45% of the populace) in four municipalities and two cities (Karlic, 2019).

The Republic of Croatia inherited the national minority rights model from the former SFRY.¹¹ Following the declaration of independence, it acknowledged these rights to the existing national minorities, as well as to the members of the “new” ones (the Serbs, Slovenes, Bosniaks, Macedonians, and Montenegrins, who were up until then regarded as constitutive peoples). By accepting the international obligations relating to national minority rights and with the help of the international community, the Republic of Croatia reached better normative terms for the realization of minority rights and their protection.

3.3.1 Use of language in education

The current legislative framework regulating the educational rights of minorities in Croatia has been well established over the last two decades. The Law on the Education in the Language and Script of the National Minorities and the 11th Article of the Constitutional Law on Minorities are the fundamental texts regulating minorities rights in the educational field. Two international treaties, which entered into force in Croatia in 1998, also contain important clauses on minority education, namely the Framework Convention for the protection of National Minorities and the European Charter for Regional or Minority Languages. The Croatian legislative framework regulating minority education is very well established and highly progressive as it grants

¹¹ These rights encompassed education and information in the language of the national minority in official use, the possibility of preservation of the national minority’s ethnic, language and religious identity, and the representation of its interests.

to persons belonging to all national minorities the right to be taught in their mother tongue at all levels of the educational system. Article 65 of the Croatian constitution stipulates that in the Republic of Croatia, everyone shall have access to education under equal conditions and in accordance with his/her aptitudes. Compulsory education shall be free, in accordance with law.

The Croatian Law provides education in national minority languages on three school levels: pre-school level (under the age of 7), primary school (8 grades, children from 7 to 15 years of age) and secondary school (3 or 4 grades, depending on the program). Croatia states that the members of national minorities realize their constitutional right to education through three basic models and several special forms of education, and describes those three models as follows:

- MODEL A: All lessons take place in the language and script of the national minority with compulsory teaching of the Croatian language
- MODEL B: Teaching is carried out in the Croatian language and the language and script of the national minority, what is known as bilingual teaching. The natural sciences are taught in Croatian and the social science subjects, or the national group of subjects are taught in the language and script of the national minority.
- MODEL C: The cultivation of language and culture is a special teaching program which runs for five school hours a week with a complete program of teaching in the Croatian language. The program covers teaching in the language and literature of the national minority, history, geography, music, and art (OSCE (2003)).

The minority language in school institutions takes place in schools with classes in national minority language and script. Schools with classes in national minority language and script are set up in places where there is a sufficient demand by the parents. It does not depend on the official use of the respective minority language or percentage of inhabitants of a minority in a municipality or town. Minority language schools can be founded for a smaller number of students than the number determined for a majority language school institution. Furthermore, the enrolment of the children to the minority language schools is not limited to the members of minorities. However, pupils belonging to the national minority shall have priority in case a larger number of applicants should apply for education in the minority language and script. Schools in a minority language and script have their name and the text of their seals and stamps written in Croatian and the minority language. Teachers in these schools must either belong to the national minority and have the full command of the minority language and script or at least have the full command of the language. The pedagogical documentation and the public-school documents should also be bilingual. The management body of this kind of school should be composed of at least half of the members belonging to the respective minority. Even its principal should be a member of the minority and/or at least have the full command of that language. In places where there are not sufficient demands from parents to have education in a minority language and script, the education can be conducted in an educational group setting. These group settings are established in the schools that offer classes in the Croatian language and script. The number of children considered sufficient is usually smaller than that for a Croatian language group. The education groups can be conducted in seminars, summer, and winter schools, etc.

3.3.2 Use of language in judiciary

The Law on the Use of Language and Script of National Minorities in the Republic of Croatia sets up conditions for the equal official use of national minority language and script in the procedure before State bodies of first instance and legal persons vested with public powers. The bodies covered by this part of the Law are the following: the bodies of State administration of first instance, organisational units of the central bodies of State administration acting in first instance, the judicial bodies of first instance, the Public Prosecutor's Office and the Public Attorney's Office of first instance and the legal persons vested with public powers, which are authorised to act in the territory in which a national minority language and script is in official use (Law on the Use of Language and Script of National Minorities in the Republic of Croatia, 2000).

These bodies are obliged to instruct the party on the right to use the national minority and script in a procedure, providing this person comes from the municipality or town which have introduced the national minority language as the second official language. In other words, two factors should coincide, territorial and personal, to have a national minority language used before these bodies. The party in a procedure chooses the language of the procedure by filing his or her first submission.¹² In case of a multilingual situation, if there are two or more minority languages in equal official use, parties have a right to reach an autonomous agreement on the common language of the procedure. If, however, the parties fail to reach such an agreement, the language used by the majority of participants to that procedure shall be used, with the provision of an interpreter for others. Finally, if this is not possible, the procedure will be conducted only in Croatian, with the provision of interpreters

If and when the minority language is introduced in a procedure of the first instance, the legal principle of bilingualism is applied: the

¹² One should not confuse the criminal procedure case when the defendant always has the right to hear charges in his or her own language. Comp. Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

procedure and all the material and dispatches connected to it have to be in Croatian and the chosen national minority language and script. However, the bodies conducting the second instance procedures (appeals) perform them only in the Croatian language and script, unless the party authorized to use the official minority language participates directly before this body. In any case, any letters, submissions, or other acts of the second instance procedure have to be dispatched to the parties also in the national minority language in equal official use. Compliance with these rules constitute an essential breach of the procedure and the appellate body observes it *ex officio*.

3.3.3 Use of language in public sector

The official use of a minority language in Croatia could be limited to parts only of a particular municipality and town and foreseen to a narrower extent by its Statute than provided by the law (Law on the Use of Language and Script of National Minorities in the Republic of Croatia, 2000). on the other hand, exclude the right to use a minority language in the proceedings before the State and other public bodies or bodies with public powers authorized to act in these municipalities and towns, nor can it deny the right to obtaining public documents also in national minority language.

This Law constitutes the basis for equal official use of minority languages in the designated territories and before relevant local, regional, and State bodies. The Law overcomes some of the obstacles for the actual implementation of the language rights. Instead of limiting the use of national minority languages to the relatively small territories and bodies of local self-government, it allows it also before the State bodies and courts of law of the first instance. The Law brings detailed provisions on the equal official use of national minority language and script in representative and executive bodies of municipalities, towns and counties, as well as in the procedure before their administrative bodies. In this part, accordingly, the use of the relevant minority language is made possible in the work of local and regional councils and assemblies and the respective administrations.

Public documents and forms should be issued in bilingual form, as well as traffic and road signs, stamps, inscriptions, and relevant materials.

Article 4 of the Law on the Use of Language and Script of National Minorities in the Republic of Croatia defines its territorial application to the:

1. Territories of municipalities and towns¹³ in which members of a particular minority constitute the majority of their population (Article 7 of the Constitutional Law).
2. Territories determined by international agreements to which Croatia is a party.
3. Municipalities and towns which have decided to introduce a minority language as the other official language by their Statutes.
4. Counties that have so stipulated by their Statutes, in relation to the work of their bodies within the scope of self-government.¹⁴

Article 13 of the Constitutional Law on the Rights of National Minorities in the Republic of Croatia opens an obligation for self-administration units to take care of the preservation of traditional names and signs and the giving of names of persons and significant events in the history and culture of a national minority in the Republic of Croatia to settlements, streets and squares in the areas traditionally, or to a considerable degree, populated by members of national minorities. The Minority Language Law as well as the Law on Local Self-government Units and the statutes of those units are required to

¹³ According to the administrative division in Croatia municipalities and towns are the basic administrative units of local self-government. There are more than 500 of these units in Croatia.

¹⁴ The interpretation of this provision showed unclear when the Istarska County introduced bilingualism on the entire territory of the county in 2001. The government objected arguing that this could have only been done by law, while counties could introduce the second language only to the work of their self-government bodies. The case was resolved by political means.

stipulate the measures providing for the preservation of the linguistic elements of minorities, as well as for the safeguarding of their culture and political and cultural figures.

3.3.4 Use of language in media

The right of information and media in minority languages for the Croatian minorities are guaranteed by the Croatian Constitution and the European Charter for Regional and Minority Languages and the Constitutional Law on the Rights of National Minorities in the Republic of Croatia.

The Constitutional Law foresees that the laws and implementing rules which regulate the activities of public information, the production and broadcasting of radio and television programmes, education, museum, archival and library activity and the protection and preservation of cultural assets, should create conditions for the acquaintance of all citizens of the Republic of Croatia, especially of children and young people, through the content of educational work and through obligatory, as well as optional educational subjects, with the history, culture and religion of national minorities.

The Croatian National television (HRT) broadcasts some special programs for ethnic minorities, while a separate editorial staff produces Prism, a weekly 50-minute information programme on minorities. Regional television also broadcasts programmes for minorities. Regular documentary, music and news programmes present information on ethnic minorities' anniversaries, culture, and institutions (Miletic, 2022). The Croatian radio, Radio Zagreb, regularly broadcasts news in minority languages. Croatian radio's first programme broadcasts "From our Minorities' Life", a weekly 30-minute programme on cultural events, etc. In areas with a sizeable minority population local radio and television stations broadcast in minority languages. However, minority communities are generally dissatisfied with the media's output. For example, HRT considers the 15-minute weekly news on minorities is sufficient coverage for all the minority groups in Croatia (Minority Rights Group International,

2003). Further, the crucial issue of making a wider public aware of minority problems remains unresolved.

Article 18 of the Constitutional Law on the Rights of National Minorities in the Republic of Croatia covers the way in which members of national minorities can use their language in the media. The allocation of state, regional and local budgets for co-financing radio and television programmes states the following: “Radio stations and TV studios at nation-wide, regional and local level shall be specifically tasked to promote understanding for members of national minorities, to produce and/ or broadcast programmes designed to inform national minority members in minority languages, to encourage and promote the preservation, development and manifestation of minority cultural, religious and other identity, preservation and conservation of national heritage and traditions, as well as to inform national minority members in the region about the work and tasks of the respective minority self-government.” Legal entities engaging in public information services (the press, radio, and TV) shall enable the minority organisations and institutions to participate in the creation of programmes intended for national minorities. In the state budget and the budgets of the local and regional self-government units funds shall be assigned for co-financing minority programmes on radio and television stations owned by them, in accordance with available capacities and the criteria defined by the Croatian Government on the proposal of the Council for National Minorities or by the competent local and regional self-government units on the proposal of the national minority councils. To ensure the right of national minority members to information through the press, radio and TV in the minority language and script, national minority members, minority self-governments and minority organizations can engage in public information activities (publish newspapers, produce, and broadcast radio and TV programmes and engage in news agencies) as provided for by the law.¹⁵

¹⁵ Article 18 of the Constitutional Law on the Rights of National Minorities in the Republic of Croatia.

Article 18 of the Constitutional Law further stipulates that the state budget and the budgets of local and regional self-government units shall provide funds for co-financing programmes of radio and television stations which minority groups own and for programmes produced for national minorities, in compliance with their economic possibilities. Financial support will be distributed according to the criteria established by the government, upon the proposal of the National Minorities Committee.

With regard to this, media enterprises (press, radio and television) are obliged to enable the minority associations and institutions to participate in the creation of programmes produced for national minorities. However, this provision does not make clear whether only the state-owned media enterprises are obliged to publish programmes produced for national minorities or if it is the obligation of all of media enterprises.

3.3.5 Use of language in cultural activities and facilities

For the purpose of preservation, development, promotion and expression of their own national and cultural identity, members of national minorities may establish associations, endowments and foundations, as well as institutions for the performance of public information activities, cultural, publishing, museum, archival, library and scientific activities. The basis for the aforementioned right can be found in Article 43 of the Constitution which provides for the formation of minority associations, while at the same time the regulations of the Law on Associations (Law on Associations, Official Gazette 70/1997, 88/2001) entitle members of national minorities to establish trading companies, institutions, associations, endowments and foundations, religious communities, political parties in the same manner and under the same conditions stipulated by law to which other Croatian citizens are entitled to those rights. The favorable stipulation of the Constitutional Law is the obligation prescribed for local self-government units and regional self-government units to participate in the financing of activities of the minority associations, according to their financial possibilities.

Article 16 of the Constitutional Law on the Rights of National Minorities in the Republic of Croatia prescribes the set of rights that facilitates cross-border cooperation of minorities. The Constitutional Law encourages minorities to keep in contact with the people of their ethnic homeland and prescribes the right to maintain contacts with kinstates, stipulating that members of national minorities, their associations, national minority councils or representatives shall freely maintain contacts with the nation with which they share the same ethnic, linguistic, cultural and/or religious characteristics and with juridical personality with the seat in the area of the state of that nation that handles the fields of education, science, culture, publishing and humanitarian activities. The law also describes the set of rights that facilitates for cross-border cooperation of minorities and it encourages minorities to keep in contact with the people of their ethnic homeland and prescribes the right to maintain contacts with kinstates, stipulating that members of national minorities, their associations, national minority councils or representatives shall freely maintain contacts with the nation with which they share the same ethnic, linguistic, cultural and/or religious characteristics and with juridical personality with the seat in the area of the state of that nation that handles the fields of education, science, culture, publishing and humanitarian activities.

3.3.6 Use of language in economic and social life

In Croatia, all constitutionally prescribed rights (civil and political freedoms along with economic, social and cultural rights) are guaranteed regardless of a citizen's ethnic background. Everyone is constitutionally guaranteed the right to freedom of association for the purposes of protection of interests or promotion of social, economic, political, national, cultural and other convictions and objectives.

The participation of minorities in economic and social life is guaranteed by the Constitution, different laws and international treaties. The Constitutional Law represents the foundation for political participation of national minorities by guaranteeing a certain number of seats in the parliament and in the bodies of local self-

government to minorities. The Constitutional Law provides a possibility for minorities to elect a minimum of five and a maximum of eight of their representatives to parliament in the special electoral units. Members of national minorities, in accordance with Article 19 of the Constitutional Law, constituting more than 1.5% of the total population of the Republic of Croatia are guaranteed a minimum of one and a maximum of three representative seats for the members of that national minority. The Serb minority is the only one satisfying the threshold of 1.5% of the population, as reflected in the 2001 census, guaranteeing it the political participation stipulated in the Constitutional Law. The other minorities are guaranteed in accordance with the Constitutional Law the right to elect a minimum of four representatives. In accordance with this provision, Italian and Hungarian minorities are each guaranteed one seat for their representatives while one representative will represent Austrians, Bulgarians, Germans, Jews, Roma, Ruthenians, Ukrainians and Vlahs, while Czechs and Slovaks together will elect one. Members of Albanian, Bosniak, Montenegrin, Macedonian and Slovenian minorities will elect a common representative.

Article 18 also stipulates the responsibility of the self-government units to provide funds for the work of the minority councils. On a voluntary basis, the self-government units are encouraged to provide the funds necessary to carry out the specific activities proposed in the councils' working programs. The article also provides for the possibility that funds may be granted from the state budget for the exercise of specific programs of a particular national minority council.

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3.4 The case of Cyprus

Cyprus (official name: Kypriake Demokratia (Greek), Kibris Cumhuriyeti (Turkish), short form: Kypros (Greek), Kibris (Turkish)) is an island, geographically part of Asia (Middle East). The island is shared by the Republic of Cyprus, Northern Cyprus (a country recognized only by Turkey) and the British sovereign base areas of Akrotiri and Dhekelia. The third largest island in the Mediterranean Sea has a land area of 9,251 km. Cyprus has been divided since 1974 into the Republic of Cyprus controlled two-thirds of the island in the south, and the Turkish Cypriot one-third in the north, with a buffer zone, maintained by UN peacekeeping forces, between them (Nations Online n/a) (UNFICYP, n/a) Congressional Research Service, 2009).

The Republic of Cyprus became an independent state on 16 August 1960, a member of the United Nations one month later, and it is a member state of the European Union since 1 May 2004. The Republic has de jure sovereignty over the entire island, including its territorial waters and exclusive economic zone, with the exception of the Sovereign Base Areas of Akrotiri and Dhekelia, (which remain under the UK's control according to the London and Zürich Agreements); but de facto the republic is partitioned into two main parts: the area under the effective control of the Republic, located in the south and west and comprising about 59% of the island's area, and the north, Turkish Cypriot administrative area (Turkish Republic of Northern Cyprus) (UN, 1963) (UN, 1984).

The Republic of Cyprus has a population of 888,000 (2020), about 1.2 million people live on the island (including North Cyprus). The capital and largest city of the Republic of Cyprus is Nicosia (European Union, n/a). The official languages of the Republic of Cyprus are Greek and Turkish (Art. 1, para. 1 of the Constitution) (Constitute Project, 2022). Despite joining the EU as a de facto divided island, the whole of Cyprus is EU territory. Turkish Cypriots who have, or are eligible for, EU travel documents are EU citizens. EU law is suspended in areas where the Cypriot government (Government of the Republic) does not exercise

effective control. Only the Greek is an official EU language (European Union n/a).

The Republic of Cyprus was established after a long period in which the island was a British colony. The population of the island consisted of Greek Cypriots (Orthodox), Turkish Cypriots (Muslims), Maronites, Latins (Catholics) and Armenians. The Cypriot and Greek Turkish populations of Cyprus constitute two separate communities implying that the two sections have equal political status while Latins, Armenians and Maronites are referred to as minorities of the Greek Cypriot community (Karmellou, 2008). For the Republic of Cyprus, the term “national minorities” within the meaning of the Framework Convention for the Protection of National Minorities is understood to designate only those national minority-groups which had a traditional presence on the island at the time of the establishment of the Republic of Cyprus in 1960 and hold the Cypriot citizenship; thus, “religious groups,” as defined in Art. 2 (3) of the Constitution, are treated as national minorities for the purposes of the Framework Convention for the Protection of National Minorities (Council of Europe, 2019). In what concerns the European Charter for Regional or Minority Languages and specifically the Republic of Cyprus, only two regional and minority languages are covered by the charter’s provisions: Armenian and Cypriot Maronite Arabic language.

Language experts point out that there are several languages and dialects of Cyprus: Cypriot Greek, Cypriot Turkish and Cypriot Arabic (Tsiplakou, 2006). Cypriot Arabic is spoken by the Maronite population, which settled in Cyprus mainly from the 12th century onward (Tsiplakou, 2006). This language is officially recognized as regional/minority language as Cypriot Maronite Arabic language (Council of Europe, 2022).

When the geo linguistic division of Cyprus began (in 1963/4) it had significant consequences on the Greek and Turkish language. Now these two languages have completely different areas of use: Greek is used in the free part of Cyprus, Turkish in the occupied area. In the unoccupied part of Cyprus, the Turkish language, however, retains its

official status (recognized by the Constitution). Its official use remains in official documents, birth certificates, passports, identity cards, money etc. or (since the opening of the demarcation line between the two parts of the island in 2003) in administrative documents prepared for the benefit of Turkish Cypriots. On the other hand, the Greek language has no official status in the occupied area and its use by the few hundred enclaved Greek Cypriots who are still living under Turkish administration is controlled and even sometimes prohibited (ENFIL, 2014).

Legal framework

The main legal documents regulating the language use are the Constitution of Cyprus of 1960 with Amendments in 2013 (Constitute Project, 2022). According to the Constitution of Cyprus, administrative, legislative and executive acts and documents are to be drawn up in both official languages (Greek and Turkish) and, where under the express provisions of the constitution promulgation is required, be promulgated by publication in the official Gazette of the Republic in both official languages. Administrative or other official documents addressed to a Greek, or a Turk are to be drawn up in the Greek or the Turkish language respectively. Judicial proceedings are to be conducted or made and judgments are to be drawn up in the Greek language if the parties are Greek, in the Turkish language if the parties are Turkish, and in both the Greek and the Turkish languages if the parties are Greek and Turkish. A follow, the official language, or languages to be used for such purposes in all other cases are to be specified by the Rules of Court made by the High Court under Article 163. Any text in the official Gazette of the Republic is to be published in both official languages in the same issue (Article 3, Sections 1,2,3,4, 5).

The Zürich-London agreements and the Constitution of the Republic of Cyprus contain provisions for the establishment of two elected Communal Chambers, a Greek and a Turkish one, which deal with all educational, cultural and religious matters concerning the two communities (House of Representatives, 2022). According to Stratilatis (2021:15), the Cyprus Constitution had a bicomunal

character. In Art. 2 of the Constitution, two communities are recognized, the Greek and the Turkish community. The membership of the two communities was determined by origin (Greek Community comprises all citizens of the Republic who are of Greek origin and the Turkish Community comprises all citizens of the Republic who are of Turkish origin), by mother tongue, cultural tradition, or religion. The small religious groups of Maronites, Armenians and Latins were obliged to make a collective decision on the participation of their members in one or other community. Following the constitutional crisis of 1963, the Greek Communal Chamber was self-dissolved. Based on Law 12/1965 the legislative competences of the Greek communal chamber were transferred to the House of Representatives, while its administrative competences with respect to educational matters were transferred to the Ministry of Education and Culture; the remaining competences of the Greek Communal Chamber were transferred to Council of Ministers. The Turkish Communal Chamber, contrary to the Greek Communal Chamber, has never been dissolved; its competencies, however, may not be effectively exercised in the areas controlled by the Republic of Cyprus due to the abnormal situation prevailing in Cyprus since 1974 (Emilianides, 2010: 136). The Turkish Communal Chamber has, according to the constitutional provisions, exclusive legislative and adjudicative competence regarding religious matters and matters concerning personal status of their members (Emilianides, 2010: 138).

3.4.1 Use of language in education

According to the Article 20, Section 2,3,4 of the Constitution free primary education is to be made available by the Greek and the Turkish Communal Chambers in the respective communal primary schools. Primary education is compulsory for all citizens of such school age as may be determined by a relevant communal law. Education, other than primary education, shall be made available by the Greek and the Turkish Communal Chambers, in deserving and appropriate cases, on such terms and conditions as may be determined by a relevant communal law.

According to the Article 108, Section 1,2 of the Constitution the Greek and the Turkish Communities have the right to receive subsidies from the Greek or the Turkish Government respectively for institutions of education, culture, athletics, and charity belonging to the Greek or the Turkish Community respectively. Also, where either the Greek or the Turkish Community considers that it has not the necessary number of schoolmasters, professors, or clergymen for the functioning of its institutions, such Community shall have the right to obtain and employ such personnel to the extent strictly necessary to meet its needs as the Greek or the Turkish Government respectively may provide.

Since 1960 Constitution of Cyprus entrusted the education of the Greek community to the Greek Communal Chamber, and the education of the Turkish community to the Turkish Communal Chamber (Art. 87, para. 1.b), which resembles of a bi-communal character (Kimitris, 2018). The delegation of power from the Greek Community Chamber to the Ministry of Education was established in 1965 based on the law of necessity, following the intercommunal armed conflict between Greek and Turkish Cypriots in 1963, which led the two communities to partial segregation. Since then, the Ministry of Education and Culture has taken over the duties of the Greek Community Chamber. Standard Greek is taught in all sectors of public primary and secondary schools (Karmellou, 2008). There are many private schools operate in Cyprus which are foreign language schools, having Greek, English, French, Italian or Russian as the main language of instruction (Ministry of Education and Culture, 2018).

In what concerns the Armenian language, as a report states, the Armenian language is taught at pre-primary, primary and lower secondary level (Council of Europe, 2019: 16). The Armenian language is taught at the Adult Education Centres and the University of Cyprus, on demand. The Ministry of Education, Culture, Sport and Youth (MOECSY) has a policy of providing opportunities for non-speakers of Armenian to learn the language and provides facilities and specific programmes to that end. The Armenian language can be learned at the Nareg Armenian Schools (Cyprus Armenians-Gibrahayer, n/a) and lessons are also offered, on demand, at the Adult Education Centres

and the University of Cyprus (Council of Europe, 2019: 19). Also, there is a policy of offering supernumerary positions for Armenians of Cyprus, as well as Maronites and Latins, to study at public universities. The teaching of the Armenian language is fully funded in all the Nareg Primary Schools (Nicosia, Limassol and Larnaca) and the Nareg Gymnasium (lower secondary school in Nicosia) (Council of Europe, 2019:16)

In reference to the Cypriot Maronite Arabic language, the operations of schools (Agios Maronas pre- and primary schools) in that language are funded by the Ministry (MOECSY). The language is used in several school events, such as theatrical plays during Christmas celebration. Moreover, CMA is used in the classroom when discussing about Maronite culture and the village of Kormakitis (Council of Europe, 2019:28). The teaching of Cypriot Maronite Arabic is provided at the Adult Education Centres in Nicosia and in Limassol and the expenses for the operation of this programme are covered by the Ministry (Council of Europe, 2019: 35).

3.4.2 Use of language in judiciary

In several provisions of the Constitution of Cyprus the right to be informed in the mother tongue is guaranteed. According to the Article 11, Sections 4,5,6 of the Constitution of Cyprus, every person arrested is to be informed at the time of his arrest in a language which he understands of the reasons for his arrest and shall be allowed to have the services of a lawyer of his own choosing. The person that is arrested should, as soon as is practicable after his arrest, and in any event not later than twenty-four hours after the arrest, be brought before a judge, if not earlier released. After that, the judge before whom the person arrested is brought should promptly proceed to inquire into the grounds of the arrest in a language understandable by the person arrested and shall, as soon as possible and in any event not later than three days from such appearance, either release the person arrested on such terms as he may deem fit or where the investigation into the commission of the offence for which he has been arrested has not been completed remand him in custody and may remand him in

custody from time to time for a period not exceeding eight days at any one time. Article. 12, para. 5 of the Constitution, also underlined the minimum right to be informed promptly, and in a language that a person understands, of the details and nature, as well as grounds of the charges against that person. The right of an interpreter is also guaranteed in this article and Article 30 (para. 3).

In the past, as in accordance with the constitution, the Communal Chambers of each of the two main communities (Greek and Turkish) had the legislative power in deciding on the composition and instances of courts dealing with civil disputes related to personal status and to religious matter (Art. 87, para. 1.d). The Turkish Communal Chambers (de jure) has not been dissolved.

3.4.3 Use of language in public sector

As prescribed by the Constitution, the differences that are between the Greek and the Turkish texts of any legislative, executive, or administrative act published in the official Gazette of the Republic, should be resolved by a competent court (Art. 3, para. 6.1). The prevailing text of any law or decision of a Communal Chamber published in the official Gazette of the Republic shall be that of the language of the Communal Chamber concerned (Art. 3 para. 6.2). If and where there are differences between the Greek and the Turkish texts of an executive or administrative act or document, a statement by the Minister or any other authority concerned as to which text should prevail or which should be the correct text shall be final and conclusive (Art. 3 para. 6.3). It is guaranteed by the Constitution that the two official languages are to be used on coins, currency notes and stamps (Art.3, para. 7). It is given the right to every citizen of the Republic to address the authorities either in Greek or Turkish language, as the two official languages. (Art. 3, para. 8).

Before the abolishment of the Greek Communal Chamber, in accordance with the constitution, the Communal Chambers of the two main communities has the legislative power in deciding on matters where the interest and institutions are of purely communal nature

such as charitable and promoting foundations, bodies and associations created for the purpose of promoting the well-being of the community (Art. 87, para. 1.e), or on personal taxes and fees on members of the community (Art. 87, para. 1f). As mentioned before, the Turkish Communal Chamber (de jure) has not been dissolved.

In what concerns the work of the House of Representatives of Cyprus, the constitution clearly points out that the speeches and other proceedings in the House and at all the Committee meetings shall, simultaneously as they are being made or taking place, be translated from the official language in which they are being made or taking place into the other official language (Art. 73, para. 8).

3.4.4 Use of language in media

The Cyprus Broadcasting Corporation (CyBC) offers public radio and television service in Greek, Turkish and English, as well as in any other languages.

The Cyprus Radio Television Authority (CRTA) encourages the presentation of the Armenians and Maronites in the mass media, as well as the use of their languages (Council of Europe, 2019:5) The Armenian language has a regular daily presence on CyBC (CyBC, n/a). A daily one-hour programme is broadcasted in the Armenian language (Council of Europe, 2019:7). The Armenians of Cyprus publish a bi-monthly newspaper entitled “Artsakank”, which is registered in the Press and Information Office (PIO) of Cyprus (Council of Europe, 2019:8).

The presence of the Cypriot Maronite Arabic language in the media is seen through daily TV series, specifically the series “Galateia”, broadcasted by SIGMA TV which is a private channel of Pancyprian coverage (Council of Europe, 2019: 31). The CyBC also promotes the culture of the language with weekly one-hour programme broadcasted for the Maronites entitled “The voice of the Maronites” (Council of Europe, 2019: 32).

3.4.5 Use of language in cultural activities and facilities

According to the Article 108 of the Constitution of Cyprus of 1960 the Greek and the Turkish Communities shall have the right to receive subsidies from the Greek or the Turkish Government respectively for institutions of education, culture, athletics, and charity belonging to the Greek or the Turkish Community respectively. As mentioned before after the dissolution of the Greek Communal Chamber the responsibilities were transferred to the Ministry of Education and Culture for the Greek community.

The Press and Information Office of Cyprus (PIO) does not have any publications in Armenian or Maronite languages, yet it has undertaken the updating and revision of the publications dedicated to each of the three religious' groups of Cyprus and their reprint to reflect new developments. These publications promote the history, culture and identity of the religious groups of Cyprus. Other publications of the PIO serve the same purpose, such as the luxury publication "Multireligious Cyprus", a trilingual (English, Greek, French) publication with dedicated chapters on the three religious' groups, their presence on the island and their places of worship (Council of Europe, 2019: 8).

The Ministry of Interior (as the competent Ministry regarding the issues concerning the religious groups in general) in 2018 and 2019, provided an amount of €10.000 per year for Armenian publications (Council of Europe, 2019: 11). The Maronites of Cyprus have their own publications; an example is the "Maronite Press", published by the Representative of the Maronites in the House of the Representatives of Cyprus (Council of Europe, 2018:32). Maronites also maintain their own web pages which promote the cultural importance of their language, for example www.maroniteslive.com and www.kormakitis.net. The Ministry of Education, Culture, Sport and Youth allocating every year a significant amount to support the scientific work carried out by researchers, in accordance with the Action Plan for the revitalization of the language (Council of Europe, 2019: 34).

3.4.6 Use of language in economic and social life

According to the Article 26 of the Constitution, every person has the right to enter freely into any contract subject to such conditions, limitations or restrictions as are laid down by the general principles of the law of contract. The use of language specifically in the economic sphere is not regulated in the constitution, provision of the use of language in public sphere applies.

A study on how multilingualism supports urban online spaces (Parmaxi, Nicolaou, Papadima-Sophocleous and Boglou, 2016) highlighted a specific city in Cyprus, Limassol where English, German and Russian language are present in the economic sector; yet Turkish, Arabic, Bulgarian and Romanian language need to be boosted more. All websites have a Greek and an English version. Yet, some important documents are available only in Greek and in many cases the English version of the website is not working, is under construction or has a limited amount of information available in English compared to Greek. The English language is used widely within various private companies and in many industries, such as banking, financial services, legal firms, tourist organisations, hotel and hospitality enterprises, and many others.

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3.5 The case of Finland

Finland is divided into 313 municipalities, of which 33 are bilingual and the rest unilingual with either Finnish or Swedish as the primary language (situation in 2017). Most of the bilingual municipalities are located on the west coast (Ministry of Justice, 2019). Regarding the official languages in Mainland Finland, Finnish and Swedish, the language status of each municipality is regularly reviewed. A municipality is given one out of four statuses: Finnish speaking; Swedish speaking; Bilingual with a Finnish speaking majority (with Swedish as the minority language); and Bilingual with a Swedish speaking majority (with Finnish as the minority language). A municipality is bilingual when a minimum of 8 % of the inhabitants or at least 3000 inhabitants use the minority language as mother tongue (Ministry of Justice, 2003).

Legal framework

The Constitution in chapter 2, section 6 stipulates that no one shall, without an acceptable reason, be treated differently from other persons on the ground of sex, age, origin, language, religion, conviction, opinion, health, disability or other reason that concerns his or her person. Furthermore, the section 17 of the Finish Constitution stipulates that the right of everyone to use his or her own language, either Finnish or Swedish, before courts of law and of their authorities, and to receive official documents in that language, shall be guaranteed by an Act. The public authorities shall provide for the cultural and societal needs of the Finnish-speaking and Swedish-speaking populations of the country on an equal basis. The Sami, as an indigenous people, as well as the Roma and other groups, have the right to maintain and develop their own language and culture. Provisions on the right of the Sami to use the Sami language before the authorities are laid down by an Act. The rights of persons using sign language and of persons in need of interpretation or translation aid owing to disability shall be guaranteed by an Act (Finlex, n/a).

The Language Act (423/2003) (Ministry of Justice, 2003a) lays down specific provisions on the right to use both Finnish and Swedish before State authorities, the authorities of municipalities, courts and otherwise in the discharge of public administration duties. The Strategy for the National Languages of Finland adopted by the Government in 2012 promotes the viability and equal status of the national languages. Rather than dividing Finland into Finnish and Swedish speaking administrative areas, a decision was made to safeguard the citizens' linguistic rights across the country.

The first section of the Language Act of Finland stipulates that Mainland Finland has two national languages, Finnish and Swedish. In the Åland Islands, the official language is Swedish only. In four Sami populated municipalities of Northern Finland, Sami is recognized as official language.

In section 2 the act stipulates that the purpose of this Act is to ensure the constitutional right of every person to use his or her own language, either Finnish or Swedish, before courts and other authorities. The goal is to ensure the right of everyone to a fair trial and good administration irrespective of language and to secure the linguistic rights of an individual person without him or her needing specifically to refer to these rights. An authority may provide better linguistic services than what is required in this Act.

The Sami Language Act (Ministry of Justice, 2003b) was prepared by desk officials at the Ministry of Justice, based on a proposal submitted to the Ministry by the Sami Parliament in 2002. The new Sami Language Act guarantees the right of the Sami, under the Constitution of Finland and in compliance with international agreements binding on Finland, to maintain and develop their own language and culture and to use their own language (Inari, Skolt or North Sami) in court and before other authorities.

The Non-discrimination Act (Ministry of Justice, 2014) in section 1 stipulates that the purpose of this Act is to promote equality and prevent discrimination as well as to enhance the protection provided by law to those who have been discriminated against.

The Strategy for the National Languages of Finland is one of the flagship projects under Prime Minister Katainen's Government Programme. It focuses on the national languages of Finland – Finnish and Swedish – and it is the first government language strategy. The legal background of the Strategy for the National Languages of Finland consists of the Constitution and the more specific language legislation (Prime Minister's Office, 2012).

Institutional framework

Finland has developed a complex system of Advisory Boards at national and regional level (such as the Advisory Boards on Romani Affairs, the Advisory Boards on Ethnic Relations, as well as the Advisory Board on Language Affairs) who co-operate with the relevant Ministries and provide advice on issues concerning minorities (CoE, 2010).

The Advisory Board for Language Affairs was set up under the administration of the Ministry of Justice to help monitor the enforcement of the Language Act. The Advisory Board is a permanent body of experts, which follows the development of language-related issues in Finland, prepares proposals for measures designed to promote the use and status of the national languages, and issues statements to the authorities on questions concerning linguistic rights. The Advisory Board also exchanges views of other languages' position in Finland and, as required, listens to representatives of other languages (Advisory Board for Language Affairs, n/a).

The Advisory Board on Ethnic Relations is a network of experts specialising in questions relating to migration, integration, equality, participation and influencing opportunities of immigrants, and dialogue between different population groups (Advisory Board on Ethnic Relations, n/a).

The non-discrimination Ombudsman (Non-Discrimination Ombudsman, n/a) role is to act as a prevention of discrimination, foster the promotion of good ethnic relations, securing the position

and the rights of aliens and minorities and the monitoring of the principle of ethnic non-discrimination.

Special status of the Åland Islands

Åland, consists of more than 6,500 islands, and is a Swedish-speaking region that belongs to Finland. Provisions on the status of the Swedish language, extensive autonomy and the competence of the Åland Parliament are laid down in the Act on the Autonomy of Åland (1144/1991). According to Statistics the islands have a population of about 29,000 (Statistics Finland, n/a). The special status of the Åland Islands is based on a League of Nations decision from 1921. Finland has an obligation to guarantee the inhabitants of Åland a right to preserve the Swedish language, their own culture and their local customs. An international treaty on the 10 Åland Islands was also concluded at the same time, under which Åland is a neutral and demilitarised zone. One seat in Finnish Parliament is reserved for the representative of Åland. Attached to Finland's Act of Accession to the European Union is Protocol no 2 on Åland (EUR-lex, 1994). This Protocol acknowledges the Åland Islands' special status under international law and, among other things, the right of domicile in Åland. According to the Act on the Autonomy of Åland, Swedish is the only official language of the region. Section 7 of the Language Act specifically excludes the Åland Islands from the scope of the Act by stating that linguistic provisions regarding the Åland Islands are contained in the Act on the Autonomy of Åland. The Act on the Autonomy of Åland, however, provides that in a matter concerning himself a citizen of Finland shall have the right to use Finnish before a court and with other State officials in Åland.

Swedish is the only official language in Åland. This means that the regional, municipal and state authorities in the Åland Islands use Swedish. According to the Act on the Autonomy of Åland, all communication between the Government of Finland and Åland authorities must be conducted in Swedish. Furthermore, all communication between native speakers of Finnish and Åland authorities must take place in Swedish. However, Finnish citizens are

entitled to use Finnish in their personal matter before a court of law or other central government authorities in the Åland Islands.

Linguistic division of the country

Section 5 of the Language Act stipulates that the basic unit of the linguistic division of the country is the municipality. A municipality is either unilingual or bilingual. Government determines every ten years by a Government Decree, on the basis of the official statistics, which municipalities are bilingual, and which is the language of the majority in these municipalities, as well as which municipalities are unilingual Finnish or Swedish-speaking municipalities. Further this act foresees that a municipality is designated bilingual if the population includes both Finnish and Swedish speakers and the minority comprises at least 8% of the population or at least 3,000 persons. A bilingual municipality is designated unilingual if the minority comprises less than 3,000 persons and its proportion has decreased below 6%. On the recommendation of the municipal council Government may determine by a Government Decree that the municipal is bilingual for the following ten-year period even if the municipality would otherwise be unilingual. The third paragraph of the same section stipulates that when the boundaries of municipalities are changed, a decision shall be taken at the same time on the effect of the amendment on the linguistic status of municipalities.

Importance of Language immersion in Finland

Language immersion is a teaching method where the goal is to achieve functional bilingualism. Immersion teaching starts in early childhood education and, in the best of cases, continues until the end of basic education. This is called early complete immersion. However, the concept of immersion includes many different types of teaching. The original goal of the immersion method is to target it at children who speak the majority language as their mother tongue. By means of immersion, they will then learn the minority language. Most immersion arranged in Finland is immersion in the Swedish language

for Finnish speakers. Immersion has proved to be a successful teaching method. Finnish-speaking pupils who are in Swedish language immersion have on average slightly better mother tongue skills than children in Finnish-language schools. As regards Swedish, they are at almost the same linguistic level with Swedish-speaking children. Immersion pupils have positive attitudes to other languages and cultures, get better results than the average, for instance, in mathematics and English, and are more oriented towards general upper secondary education than pupils on average. (Prime Minister's Office ,2012)

3.5.1 Use of language in education

In Finland, education is a constitutionally guaranteed fundamental right. All residents of Finland are entitled to basic education free of charge. Post-comprehensive education is mainly free and entitles students to state financial aid. Prime Minister Matti Vanhanen's Government set as one of its objectives the provision of equal right to education and training to everyone according to their abilities, in compliance with the principle of lifelong learning. The Government supports the right of children from different ethnic groups to their own language and culture. Immigrant children's first-language skills are supported with a view to achieving a good command of both Finnish and their native language.

In the Basic Education Act under section 10 it is stipulated that the language of instruction and the language used in extracurricular teaching shall be either Finnish or Swedish. The language of instruction may also be Saami, Roma or sign language. In addition, part of teaching may be given in a language other than the 5 pupils' native language referred to above, provided that this does not risk the pupils' ability to follow teaching. Further in the same Section the Act stipulates those pupils living in the Saami home area who are proficient in the Saami language shall be primarily taught in Saami. Pupils with auditory impairments must be given teaching in sign language, when needed.

The pupils in lower secondary education and the students in general and vocational upper secondary education are obliged to study at least one second national language (Finnish or Swedish depending on the language of their institution) and one foreign language, which most commonly is English. Additionally, some pupils start studying an optional B2-language during lower secondary school. Another optional B3-language is also available in general upper secondary education. The most popular B-languages in lower and upper secondary schools are German, French, and Spanish. Section 15 of the Basic Education Act referring the curriculum stipulates that the curriculum shall be adopted separately for education given in the Finnish, Swedish and Saami languages and in other languages, where needed.

The Strategy for the National Languages of Finland (3.1.1) (Prime Minister's Office, 2012) shows an example of a social structure supporting the national languages which is the obligation laid down by law for some universities to ensure that they educate a sufficient number of people proficient in Swedish to meet the country's needs. The places reserved by these universities for Swedish-speaking students are open to anyone who has sufficient knowledge of Swedish. In other words, they have not been reserved only for students whose mother tongue is Swedish. Further in this National Strategy is explained a similar case of arrangement that has also been implemented to safeguard the linguistic rights of the Sami people. The University of Lapland and the University of Oulu have designated a quota for Sami-speaking applicants in the various degree programmes. The places reserved by universities for students proficient in Swedish have received much publicity. An indication of the whole field of university studies is, however, that studies can be conducted in the Finnish language at 14 universities, while the number of fully monolingual Swedish-language universities is two. Bilingual universities, where the languages of instruction and examination are Finnish and Swedish, number four. Bilingual universities offer ample linguistic opportunities irrespective of the mother tongue. For example, in 2012, students whose mother tongue is Finnish accounted for 14 per cent of all students at the Swedish

School of Social Science, an autonomous unit of the University of Helsinki, where students earn a Swedish-language degree. In addition, the University of Helsinki has for years offered a few bilingual degrees. Bilingual degrees can be seen as an opportunity to reinforce individuals' language skills, thereby strengthening the national language reserve.

The right of the Sami to education in their own language is safeguarded mainly by the provisions of the Basic Education Act (628/1999), the General Upper Secondary Schools Act (629/1998) and the Vocational Education and Training Act (630/1999). There are three Sami languages in Finland: North Sami, Inari Sami and Skolt Sami. Sami pre-school education is arranged to take place in conjunction with the basic education classes in the Sami Homeland. In accordance with Article 77 the Basic Education Act, the language of instruction can also be Sami. Teaching of Sami-speaking children living in the Sami Homeland has to take place mainly in Sami. The new grounds for basic education curricula contain provisions on Sami and instruction in Sami. The Basic Education Act requires that the provider of the education must adopt a curriculum of its own for instruction in Sami.

In basic education, upper secondary education and vocational education and training, subsidies cover nearly all employment expenses caused to the education providers. (Ministry of Foreign Affairs, 2004:77) Sami pupils living outside the Sami Homeland are offered a chance to participate in basic education in their own language in Rovaniemi and Oulu. The National Board of Education has been funding a virtual Sami project in the Sami Homeland in the years 2003 and 2004. The idea of the project is to develop and encourage studies of Sami also outside the Sami Homeland, using tools available in the virtual environment.

Under the Basic Education Act (628/1998), schools may choose to use Roma as the language of instruction. Roma may also, by choice of the parent or legal guardian, be taught as the pupil's mother tongue. In accordance with the reformed National Guidelines for Roma School

Curricula, Roma children's position as an ethnic and cultural minority in Finland shall be taken note of in their education.

The existing Roma study materials focus on the instruction of Roma as a mother tongue or as a half mother tongue. The publication scheme is based on the reformed National Guidelines for Roma School Curricula. The long-term objective is to produce a series of study material that would cover the needs of basic education and general upper secondary schools for those who study Roma as their mother tongue or half mother tongue. The main problem has proved to be the limited number of persons who would be competent enough to do the job, because there are very few teachers who are both qualified to write study materials and also proficient in Roma. (Ministry of Foreign Affairs, 2004). In addition, the poorly established character and inadequate vocabulary of Roma place exceptionally high demands on the writers, not to mention the pedagogical problems that may sharply differ from those encountered in the context of other language studies and still need to be solved. In the school year 2000-2001, instruction of Roma was available in only 5% of the Finnish schools having Roma pupils. A total of 8.5% of Roma pupils were given the chance to study their own cultural language in the comprehensive school. It appeared that there were schools that were unaware of the existence of Roma. Problems were also caused by lack of teachers and too small several pupils. Many times, Roma parents either do not know how or do not want to suggest that Roma be taught at school.

Arrangements for teaching of Roma have not yet reached a satisfactory level. Teaching has been impeded by inadequate financial resources in the municipalities in charge of the provision of instruction, the fact that the pupils are scattered to different places (it is difficult to meet the group size requirement because of the long distances between schools with Roma-speaking pupils), lack of teachers, and inadequate textbook supply. The Constitutional Law Committee of Parliament paid attention to this when it laid provisions for the new Language Act. The 79 Committee stated that the Government must engage in legislative and administrative measures to improve the materialisation of the linguistic and cultural rights of the Roma population.

The size of the Russian-speaking population and its concentration in southern Finland provide a favourable environment for the development of Russian schools. However, many Russian parents who have a positive attitude towards education in general choose to place their children in Finnish schools for such reasons as better employment opportunities. The Finnish school legislation provides good opportunities for the establishment of private Russian schools but, in practice, the maintenance of such schools is difficult for private entities. Nevertheless, there has been interest in establishing private Russian schools in different parts of the country. At present, there is no shortage of teachers of Russian in Finland, whereas Russian-speaking class and subject teachers are fewer in number than would be needed (Ministry of Foreign Affairs, 2004).

Basic education is given in Russian in a few schools, such as the Finnish-Russian school in Helsinki, that was founded several decades ago and is maintained by the State. Russian is used in the school as a school subject and partly a language of instruction and working language. Knowledge of Russian culture is considered to be an element of knowledge of the Russian language. The school is primarily meant for Finnish children but both Finnish- and Russian speaking pupils are admitted (Ministry of Foreign Affairs, 2004)

Russian is taught as a foreign language at all levels of education, including the basic education and general upper secondary level, vocational education and training, university, and other postsecondary education as well as adult education (Ministry of Foreign Affairs, 2004)

The Karelian language and the Karelian culture can be studied as a minor in the University of Eastern Finland, which is also the center for Karelian language research. Future native language teachers are also provided with basic information about Karelian. Karelian is a popular subject to study (University of Eastern Finland, 2019). The teaching of Karelian is subject to the same provisions as the teaching of foreign languages, which can be studied as (1) the advanced syllabus in a foreign language (a mandatory or an optional language), (2) the basic syllabus in a foreign language (an optional language), or (3) the native

language for immigrants or a language maintenance course funded by a separate government grant (Finish Government 2021).

3.5.2 Use of language in judiciary

Section 13 of the Language Act stipulates that in administrative litigation before a bilingual court in a matter where the parties are an authority and a private individual, the language of the private individual is used as the language of proceedings. If all the parties are authorities, the language of the authority that has initiated the matter is used, unless regarding the rights and interests of the opposing party the use of the other language is justified. Further, Section 13 stipulates that in administrative litigation before a unilingual court the language of the district is used as the language of proceedings, unless about the rights and interests of the parties the court selects the other language.

The language of proceedings in criminal cases

Section 14 of the Language Act stipulates that in criminal cases before bilingual local courts the language of the defendant is used as the language of the proceedings. If the defendants speak different languages or if the defendant speaks a language other than Finnish or Swedish, the court decides on the language of the proceedings with regard to the rights and interests of the parties. If the language cannot be decided on this basis, the language of the majority in the court district is used. In the second paragraph the Act stipulates that in unilingual local courts the language of the court district is used unless regarding the rights and interests of the parties the court selects the other language. At the end of the same section the Act stipulates the provisions in subsections 1 and 2 on courts apply as appropriate also to prosecutorial authorities. Criminal Investigation Act (805/2011) (Ministry of Justice, 2001) contains more detailed provisions on the language to be used in preliminary investigation.

The language of proceedings in civil cases

Section 15 of the Language Act stipulates that the language of the parties be used as the language of the proceedings. If the parties speak different languages and cannot agree on the language to be used, the court decides on the language of the proceedings regarding the rights and interests of the parties. If the language cannot be decided on this basis, the language of the majority in the court district is used. In the second paragraph of the same section the Language act stipulates that in unilingual local courts the language of the court district is used unless about the rights and interests of the parties the court selects the other language

The right to interpretation is specified in the Section 18 of the Language Act which stipulates that if a person has the right under law to use his or her own language but the language of an authority or the language of proceedings is different, the authority shall arrange for interpretation free of charge unless it itself takes care of the interpretation or unless otherwise provided under subsection. Furthermore, the same section demands that a party who wants interpretation shall arrange for the interpretation himself or herself and at his or her own expense, unless about the nature of the case the court decides otherwise.

3.5.3 Use of language in public sector

Administrative language of instructions, decisions, laws and other information produced in the public administration should be understood by all citizen and is considered as an essential part of a democratic state. The language use of the Finnish public administration has been under continuous planning and development, especially since the last decades of the 20th century. The action plan for enhancing good practices in the language use of the public administration is the latest joint effort by the Ministry of Education and Culture and the Centre for languages in Finland (Kalliokoski, 2014).

Section 1 of the Language Act stipulates that the national language of Finland, Finnish or Swedish, or both Finnish and Swedish, shall be used before courts and other State authorities, as well as before the authorities of the municipalities, the other autonomous districts, and the joint municipal organisations, as provided by this Act. The language or languages used shall be determined based on the language of each administrative district, autonomous district, corresponding community or joint municipal organisation, as well as of the parties to the matter. Separate provisions shall be enacted on the right to use the Sami language before the authorities.

The use of language in district and municipal level is regulated in Section 2 of the Language Act (Ministry of Justice, 2003a) which stipulates that an administrative district or an autonomous district that comprises only one municipality to be unilingual, if its entire population uses the same language or if the number of the inhabitants using the other language is less than eight per cent of the total number of inhabitants. The district should be bilingual if the number of the inhabitants using the other language equals or exceeds the said percentage or is at least 3000. The same provision shall apply to an administrative district smaller than a municipality. Further the same section stipulates that an administrative district or an autonomous district that comprises several municipalities, as well as a joint municipal organisation, should be unilingual if all the member municipalities are unilingual. The language or languages used in each municipality shall be correspondingly used in a district with unilingual member municipalities with different languages or with bilingual member municipalities. Every ten years the Council of State shall determine based on the official statistics those administrative districts and autonomous districts that shall be unilingual and those that shall be bilingual in accordance with the provisions above. A bilingual municipality should not be determined to be unilingual unless the number of the inhabitants using the other language has fallen to six per cent or less of the total. For a special reason the Council of State can, on the proposal of the municipal council or also otherwise after having obtained an opinion from the municipality, determine a municipality to be bilingual for the following ten-year period, even if

it would be unilingual according to the provisions 2 above in this section. When the boundaries of administrative districts or autonomous districts are changed, the languages of the new districts should at the same time be determined in accordance with the provisions of Section 2 of the Language Act.

Paragraph 1 of Section 3 in the Language Act stipulates that the language of the district or one of the languages of a bilingual district shall be used before a court and another State authority. However, a Finnish citizen shall have the right to use his/her own language, Finnish or Swedish, in a matter to which he/she is a party and in a matter in which he/she is being heard. Also, a municipality and another autonomous community, a joint municipal organisation, a religious community, a Finnish association, a cooperative, a company, a partnership, a foundation, and an institution shall have the right to use the language in which its minutes are kept and an educational institution its language of instruction. Further in the same Act, Section 6, paragraph 1, stipulates that in a bilingual administrative district a court and another authority shall issue its documents in the language of the party or the parties in question or in the language agreed on by the parties. In cases where the parties use different languages and they do not agree on the document municipal or district language, the Language Act has provisioned specific regulations for the matter, as following: For criminal matter the language of the defendant shall be used and in another matter the language of most of the population of the administrative district shall be used, unless the authority, with regard to the rights and interests of the parties, decides otherwise.

The internal language of public authorities is regulated at the Language Act Sections 11 through 16. Section 12 stipulates that a court and another State authority in a bilingual administrative district or exercising jurisdiction over bilingual municipalities or unilingual municipalities with different languages shall use the language of most of the administrative district in its internal affairs. However, in a matter where the documents are to be issued in the language of the minority the language of the documents shall be used, unless there are special reasons for using the language of the majority. If a language other than that of the documents has been used, a valid translation of

the documents relating to the matter shall without delay be appended to the documents, if a party in question so requests. This provision shall not apply to documents obviously irrelevant to the decision in the matter

There are provisions on regional police units in section 6 of the Act on Police Administration (Ministry of Interior, 1992a)) and the Government Decree on the Operating Areas of Police Departments (Ministry of Interior, 2013), which is based on the Act on Police Administration. The operating areas are based on the jurisdictional districts (kihlakunta), which are governed by the Act on the Basics for the Development of Local Government (Ministry of Interior, 1992b). A proposal will be made on revocation of the Act on the Criteria for the Development of Local Government in such a manner that the police operating areas and regional units would not change. The operating areas of the police departments under the Government Decree on the Operating Areas of Police Departments entered into force on 1 January 2014. The reform reduced the number of police departments from 24 to 11. The reform had an impact on the linguistic position of the operating areas of the police departments and the language skill requirements for the personnel.

3.5.4 Use of language in media

The basic provisions for public broadcasting in Finland are legislated in three Acts:

1. Act on Television and Radio Operations (No 744/1998)
2. Act on the State Television and Radio Fund (No 745/1998)
3. Act on Yleisradio Oy (The Finnish Broadcasting Company) (No 1380/1993)

The General YLE (Finnish Broadcasting Company) operates two television channels, TV1 and TV2. YLE also operates three nationwide Finnish radio channels (one of which is divided regionally for part of the day) and two semi nationwide Swedish radio channels (one of

which is also divided regionally for part of the day). In addition, YLE provides other broadcasting services in the capital area (amongst others, Capital FM, which broadcasts mainly in English) and the Sami radio in the North. On digital television, YLE operates one culture channel, one news channel and one Swedish channel in addition to its analogue channels. On digital radio, YLE operates a talk radio and a radio targeted at a younger adult audience (Tarlach, Noll, Price M, 2003).

Swedish programmes

YLE provides Swedish programmes on its two domestic television channels (ca. 1,000 hours per year), as well as a new digital full-service television service in Swedish (ca. 2,000 hours per year). YLE also operates two radio channels, both broadcasting fully in Swedish, covering the coastal areas where most of the Swedish speakers live (a mix of the two channels is broadcast over the main parts of inland Finland). The radio channels together provide a full programme service, one being targeted at a younger audience and the other at an older demography, containing also regional programmes on niche slots. Another major policy that was originally initiated with the support of the State is the relaybroadcast of SVT Europe from Sweden (a mix of the domestically produced programmes of the public service television company, SVT) over a terrestrial network covering the coastal areas of southern Finland (this is a reciprocal arrangement involving a relay-broadcast of domestically-produced Finnish television programmes in some parts of Sweden). In the Åland Islands and on two stations in Ostrobothnia (on the west coast), the full programme supply of Swedish Television (SVT) Channels 1 and 2 is retransmitted. The commercial channel TV4 is available on cable. The autonomous Åland Islands have a different broadcasting arrangement of their own. The Autonomy Act for Åland (1991) gave the Åland Islands the right to grant operating licences for broadcasting on the Åland Islands. The Provincial Act on Broadcasting on the Åland Islands (Act N:o 117/1993) gave Åland the right to levy their own licence fees. Another Act that is particularly relevant for the Åland Islands is the Act on Broadcasting and Cable Transmission on the Åland Islands (Act N:o 8/1994) (Tarlach, Noll, Price M, 2003).

The public service broadcaster in the Åland Islands is Ålands Radio och TV Ab. This company operates a public service radio channel and produces some television programmes as well. It also provides for the re-transmission of television channels. Three television channels are retransmitted: SVT1 and SVT2 from Sweden and Finlands TV, which is a mix of YLE TV1 and YLE TV2 (mainly the Swedish-language programming).¹³ Some radio programmes from Finland and Sweden are also retransmitted. Commercial programming in Swedish is sparse. There are no commercial television broadcasts in Swedish. One radio station in the Åland Islands broadcasts entirely in Swedish (Radio Väst). Some commercial radio stations in Ostrobothnia broadcast parts of their programmes in Swedish. There are some cable-television operators, mainly in Ostrobothnia, but also in southwest and southeast Finland, distributing some own television programme production in Swedish in addition to relaying other channels. In addition, there are two minor over-the-air regional television operations, broadcasting in Swedish, När-tv r.f. and KRS-TV r.f., two non-commercial, small-scale Swedish-language stations on the west coast (Tarlach, Noll, Price M, 2003).

Sámi programmes

In northern Finland, YLE operates a radio channel broadcasting in Sámi (40 hours weekly, ca. 2,000 hours per year). These broadcasts are partly produced in cooperation with the Sámi radios in Norway and Sweden. Since January 2002, Sámi-language news is also broadcast on television (10 minutes each day, five days per week, Monday through Friday: 6.00-6.10pm). This broadcast can be seen in Northern Finland (covering an area somewhat larger than the Sámi Homeland). The broadcast is available nationwide on the digital 24-hour news service (at 8.15pm and 11.10pm). The news broadcast is the result of a joint Nordic cooperation between the public service companies in Norway, Sweden and Finland (Tarlach, Noll, Price M, 2003).

Programmes in other languages

Roma media

The most popular radio channel in Finland, YLE Radio Suomi, broadcasts a 12-minute Roma news and current affairs programme, called *Romanihelmiä - romano mirits*, which serves the Roma population in their own language once a week. Other programmes related to Roma culture or otherwise concerning the Roma people are incorporated into the company's Finnish and Swedish radio and television broadcasts. Roma news on the national radio network has had a positive effect on the usage and modernisation of the vocabulary and it also stimulates interest in Roma. The Education Unit for the Roma Population and the Advisory Board for Roma Affairs and YLE have discussed the possibility of increasing broadcasts dealing with the Roma. Besides, the Advisory Board for Roma Affairs has underlined the significance of regular broadcasts. Programmes targeted at minorities may need to give way to broadcasts of a more widespread popularity at the national level. The three regular Roma periodicals are mainly in Finnish, with occasional articles in Roma. The Ministry of Education has supported the publication of Roma periodicals by using the funds earmarked for cultural publications (Ministry of Foreign Affairs, 2004)

Russian media

As regards to the Russian media in Finland, certain positive developments may be observed. As of March 2001, YLE has broadcast 50 minutes in Russian every day. There is a 45-minute Russian news broadcast on the radio every night, the reception area covering southern Finland. The programme is re-broadcast later the same night. In addition, an abridged version of the programme is broadcast on FM-frequency every day for audiences in the cities of Helsinki, Turku, Lahti, and Kuopio. A brief news broadcast is sent out every day on the nationwide Radio Suomi channel. In addition to the programmes produced by YLE itself, the company also transmits programmes in Russian produced by the BBC World Service (in London and Moscow) and *Golos Rossii* (in Moscow). Most of these

programmes can be received digitally in Helsinki and in the Uusimaa province, and some of them also on FM-frequency in the Helsinki area (Ministry of Foreign Affairs, 2004).

3.5.5 Use of language in cultural activities and facilities

Finland's inclusion in the Nordic cultural community means that Finland has a diverse domestic culture that has received influences, values, and traditions from both East and West. Nordic values are an inseparable element of Finnish society. All Nordic countries value the welfare state, which includes the freedom of the individual, democracy, the rule of law, a well-functioning public sector, language, and gender equality. Nordic cooperation is conducted at many levels, including education, culture and social policy and the advancement of innovation capacity. The Swedish language serves as an agent for mutual understanding and a common value base in the Nordic countries. A common cultural and language background creates a stronger feeling of affinity and trust and facilitates cooperation.

From the viewpoint of ethnicity, the Finland-Swedes form a specific group. The group is seldom defined as an ethnic minority although many features could suggest this. The concept used to describe the group is often "Swedish-speaking Finns", which reflects the specific feature of the language minority. The use of this concept can be justified historically with the fact that Swedish- and Finnish-speaking Finns do not constitute two historically separate groups, and the boundaries between them have been flexible in both directions. During and after the time when Finland was a part of Sweden, many originally Finnish-speaking Finns changed their language, for example through education, and during the language disputes in the nineteenth century the opposite was done for political reasons by many Swedish-speaking Finns. The concept of Finland-Swedes came into general use considerably late, only in the 1910s; before, they were referred to as Swedes in Finland (Engman 2016).

The rights of cultural minorities in Finland are protected by few national legislations and the Finnish Constitution is the very first that demand equal cultural rights. Section 17 of the Finnish constitution stipulates that the right of everyone to use his or her own language, either Finnish or Swedish, before courts of law and of their authorities, and to receive official documents in that language, shall be guaranteed by an Act. The public authorities shall provide for the cultural and societal needs of the Finnish-speaking and Swedish-speaking populations of the country on an equal basis. Further, at the third paragraph of the same section the Constitution stipulates that the Sami, as an indigenous people, as well as the Roma and other groups, have the right to maintain and develop their own language and culture. Provisions on the right of the Sami to use the Sami language before the authorities are laid down by an Act. The rights of persons using sign language and of persons in need of interpretation or translation aid owing to disability shall be guaranteed by an Act.

The purpose of the new Non-Discrimination Act (Ministry of Justice, 2004) is another act that demands equal cultural rights. In fact, the Non-Discrimination Act fosters and safeguards equality in the different sectors of society. The Act prohibits discrimination based on age, ethnic or national origin, nationality, language, religion, belief, opinion, health, disability or sexual orientation. In accordance with the Act, both direct and indirect discrimination is prohibited. Also, harassment or an instruction or order to discriminate is prohibited.

3.5.6 Use of language in economic and social life

The Act on Social Welfare Clients Status and Rights (Ministry of Social Affairs and Health, 2000) entered into force on 1 January 2001. The Act contains the central legal principles of participation, treatment, and legal protection of social welfare clients. The Act on Social Welfare Clients has many points in common with basic and human rights. The new Act also promotes the change of professional practices and attitudes. The purpose of the Act on the Status and Rights of Social Welfare Clients is to promote client-oriented services, the

confidentiality of client-service provider relationships and the client's right to good service and treatment in social welfare. The above-mentioned aspects can be considered as components of good administration of the social welfare services. People should be aware of the different rights and alternative courses of action which are available for them. Increasing the right of access to information of the client is also one of the aims of the Act. The Act also contains a provision on the right of the client to quality social welfare and good treatment without discrimination. This provision has a connection with the basic rights secured in the Constitution, at least to equality, the right to privacy, freedom of religion and conscience and right to one's language. Good treatment in social welfare would also encompass the integrity of human dignity. In implementing social welfare, the own language and cultural background of the client will also have to be considered.

The responsibility for organising social welfare and health care services and rescue services will be transferred from municipalities and joint municipal authorities to wellbeing services counties as a result of the health and social services reform. The premise in the preparation of the reform has been safeguarding the existing linguistic rights. This has been done at the legislative level, i.e. statutory linguistic rights will not be compromised by the transfer of the tasks from the municipalities to the wellbeing services counties. However, the safeguarding of linguistic rights depends not only on legislation, but also on how the services are organised and implemented. For customers using social welfare and health care services, the key is how linguistic rights will be implemented in practice.

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3.6 The case of Hungary

With an existence for almost a millennium, the former Kingdom of Hungary was multilingual, multiethnic, and multinational entity occupying the entire region of the Carpathian Basin. Until the mid-19th century, the official language of the Kingdom was Latin before the Hungarian language was introduced. However, if anyone wished to have a career in the Hapsburg Monarchy, to which the Kingdom of Hungary belonged, German was obviously necessary (Kenesei, 2011). The Hungarian language is the most unique and isolated language in Central Europe; it belongs to the Finno-Ugric branch of the Uralic family while all the surrounding countries use a language of Indo-European origin as their first language. In Hungary, according to the 2002 census, 99.8% of the population speaks Hungarian, and 5.6% identify themselves as non-ethnic Hungarians (Medgyes, 2005). Today, ethnic Hungarians account for the largest ethnicity at 84% of the population, followed by Romani (3%), Germans (1%), Slovaks (0.3%), Romanians (0.3%), and Croats (0.2%). Almost 15% of the population did not declare an ethnicity at the 2011 census. The official language used in Hungary is Hungarian, with additional use of English at 16%, German at 11.2%, Russian at 1.6%, Romanian at 1.3%, French at 1.2%, and other at 4.2% in use among the population as well (World Population Review, 2022).

Minorities in Hungary are in small numbers and are geographically dispersed. For example, of the 3,135 settlements in Hungary at the time of the 2001 census, the local population declared Hungarian ethnicity in 3,112, Gypsy/Roma in nine, Croatian in six, Slovenian in four, and German, Slovak, Rumanian, and Serbian ethnicity each in one settlement (Yupsanis, 2019). According to Dobos (2013: 169), minority individuals live in 2,500 out of 3,200 settlements in Hungary, but they form local majorities only in 50 of them. A large percentage of the minorities is linguistically assimilated to the Hungarian language and bears a dual identity (mostly an ethnic minority and a national Hungarian one).

Legal framework

Hungary as we know it today, has introduced a modern minority policy system. The country is seen as a pioneer in the post-Cold War era in establishing a minority rights regime, with a broad range of individual and collective rights to its minorities, including a right to cultural autonomy (Yupsanis, 2019). The most important legal act in this regard in the 1993 Act on the Rights of National and Ethnic Minorities. Act LXXVII of 1993 on the Rights of National and Ethnic Minorities (hereafter in the text: ARM) states: “It is the individual’s exclusive and inalienable right to take on and declare their affiliation to a national or ethnic group or a minority. Nobody is obliged to proclaim that they belong to a minority group.” (Office for National and Ethnic Minorities Budapest, 2005). The same act also stated that “National and ethnic minorities are all those groups of people who have lived in the territory of the Republic of Hungary for at least one hundred years, represent a numerical minority in the country’s population, are citizens of Hungary, and are distinguished from the rest of the population by their own languages, cultures and traditions, and at the same time demonstrate a sense of cohesion aimed at preserving and protecting the interests of their historical communities.” (Kenesei, 2011). According to the Office of the Commissioner for Fundamental Rights of Hungary (2019: 30) the act on the Rights of Nationalities “ensures broad linguistic rights for minorities among others in civil, criminal and administrative proceedings and affirms the role of the state to support minority language education”. As per Vizi (2015:31-46) the legal framework in Hungary has the ‘primary goal/the leading principle’ to offer a chance to minorities to revive their identities, to organize themselves and to preserve their language and culture (‘dissimilatory policy’).

The new Fundamental Law was put into force on 1 January 2012. According to the new terminology, the term “nationalities” is used. The Fundamental Law provides for the protection and the special role of the nationalities living in Hungary. It describes them as constituent parts of the State and parts of the political community. According to Article XXIX para. (1) of the Fundamental Law, every Hungarian citizen belonging to a nationality shall have the right to freely declare

and preserve his or her identity. In addition, they shall have the right to use their mother tongue, to use their names in their own language individually and collectively, to foster their culture and to receive education in their mother tongues (Sándor-Szalay, n/a).

Nationalities living in Hungary may set up local and national self-governments. (Article XXIX paragraph (2) of the Fundamental Law).

According to Article 2 para. (2) of the Fundamental Law, the participation in the work of Parliament of nationalities living in Hungary shall be regulated by a cardinal Act (requiring qualified majority votes in the Parliament).

The rules of the Fundamental Law are detailed in the new Act CLXXIX of 2011 on the rights of nationalities (hereinafter: ARN or Nationality Act). It replaced the former ARM, partly taking over the previous provisions with some modifications.

The definition of nationality according to Section 1 para. (1) of ARN:

- all ethnic groups are nationalities which are
- resident in Hungary for at least one century,
- they are in numerical minority amongst the population of the State,
- they are distinguished from the rest of the population by their own language, culture and traditions and
- they manifest a sense of cohesion that is aimed at the preservation of these and at the expression and protection of the interests of their historically established communities.

The 13 acknowledged nationalities in Hungary are, according to the law: Bulgarian, Greek, Croatian, Polish, German, Armenian, Roma, Romania, Ruthenian, Serbian, Slovak, Slovene and Ukrainian.

The use of minority languages is legitimate at local level. Documents, names of institutions, offices, streets and geographical names are also given in minority languages wherever local minority governments require. There is a preference for employment of officials who speak the minority language in the municipalities where there are speakers of minority languages (Kenesei, 2011).

Hungary's 1949 Constitution was amended in 1989, proclaiming on the one hand that ethnic and national minorities represent a "constituent part of the State" (Art. 68, para. 1) and on the other recognizing inter alia their "right to form local and national bodies for self-government" (Art. 68, para. 4). In realization of this constitutional guaranteed Act lxxvii of 1993 on the Rights of National and Ethnic Minorities was adopted. The Law explicitly enumerated in Article 61 para. 1 thirteen "native ethnic groups" qualifying as minorities, the Gypsies, Germans, Croatians, Slovaks, Romanians, Bulgarians, Greeks, Poles, Armenians, Ruthenians (Rusyns), Serbs, Slovenians, and Ukrainians. The Law then granted 'historical' minorities a variety of collective cultural rights, such as to preserve, foster, strengthen and pass on the minority identity (Art. 15), to cultivate and develop their historical traditions and language, to preserve and enrich their intellectual culture, and their culture as incarnated by physical objects (Art. 16), to hold their own events and celebrate their own feasts, to preserve and maintain their architectural, cultural and religious relics, to preserve, foster and pass on their traditions, to use their cultural symbols (Art. 18, para. 4), to have state and municipal funded education in their mother tongue or 'bilingually' (Arts. 43-44), etc.

Institutional framework

The Parliamentary Committee Representing the Nationalities consists of a nationality members of parliament (MP), with a chairperson, and 12 nationality advocates. Nationality advocates have the right to vote in this committee, in contrast to the plenary sitting. The Committee Representing the Nationalities forms its position on the report by the government on the status of the nationalities and the report by the

Commissioner for Fundamental Rights (Hungarian National Assembly, n/a).

The Commissioner for Fundamental Rights, as a National Human Rights Institution in Hungary, is accredited by the UN, and a member of the Global Alliance of National Human Rights Institutions (GANHRI), which works with the United Nations Office of the High Commissioner for Human Rights (UN OHCHR), and which comprises and supports the National Human Rights Institutions (Office of the Commissioner for Fundamental Rights, 2021:24).

The Hungarian Ombudsman for the Rights of National Minorities is a permanent member to the Advisory Committee of the Framework Convention for the Protection of National Minorities. The responsibilities of the Ombudsman are several. Among others is the enforcement of the rights of nationalities living in Hungary and propose the adoption and amendment of legislation on the rights of nationalities living in Hungary (Office of the Commissioner for Fundamental Rights, 2021:39).

In 1990, the Office for National and Ethnic Minorities was established as an autonomous organ of State administration with nationwide competence. It has been entrusted with a mandate “to carry out state tasks related to minorities in Hungary (Walsh, 2000).

Hungary initially assumed commitments within the Council of Europe European Charter of Regional or Minority Languages in 1992 and for six nationalities’ languages (German, Slovak, Croatian, Romanian, Slovenian and Serbian), to which the Gypsy languages (Romani and Boyash) were added in 2008 (CoE, 2019:22). As reported by the country, Hungary’s internal laws grant wider-ranging rights to nationalities in numerous areas than the Framework Convention or the Language Charter itself (CoE, 2019:22).

3.6.1 Use of language in education

The Hungarian legal framework guarantees “minority school” status wherever at least 25% of pupils of the educational institution (from and including kindergartens) are members of a minority. Local and/or national minority self-governments are involved in assigning minority school status or the introduction of education in minority languages (Kenesei, 2011).

From information available in the Hungary state reports to the Council of Europe, it has been underlined that the participation in nationality education is voluntary, and the form of education is determined on the basis of parents’ demands (CoE, 2018:24). There are several options that members of the nationalities can choose from:

In pre-school education:

- nursery school using the given mother tongue (nationality language),
- bilingual nursery school pursuing nationality education activity,
- nursery school pursuing Roma cultural education in the Hungarian language.

In school education

- education using the given mother tongue,
- bilingual nationality education,
- language teaching nationality education,
- Roma nationality education in the Hungarian language,
- complementary nationality education (it can be an option only if the number of pupils choosing nationality education remains below 8).

The reports from the Office of the Commissioner for Fundamental Rights of Hungary (2019) state that there is a high language

assimilation in the minorities' communities in Hungary. The situation of the minority language education plays a particular role. Some larger minority communities like Germans, are in a more favourable situation, but e.g. the Polish community has no elementary or-secondary minority school. Although the Greek and Ruthenian communities have minority elementary school, minority secondary schools are also not available for students in these communities (Office of the Commissioner for Fundamental Rights of Hungary, 2019).

Practice shows many challenges. For example, the Commissioner for Fundamental Rights (CFR) of Hungary (2016) report states that minority education in kindergarten is not in accordance with law if it is not voluntary, if it used to cover unlawful segregation of children or if children not belonging to the minority took part in it. The institutions struggle because children generally do not bring knowledge of the minority languages from their family, and it is quite difficult to find teachers and nurses who are able to work in these languages.

In the last five years 6.7% of secondary students were enrolled in minority education, of which 90% belonged to either the German or the Roma community. The provision of secondary minority education is jeopardized by the shortage of minority teachers; the teacher career is not attractive nowadays which makes more difficult to fill up the university seats from the low number of students finishing in minority secondary schools (Office of the Commissioner for Fundamental Rights of Hungary, 2019).

Another emerging issue is the decreasing number of junior minority teachers. Even more alarming is the situation of Roma minority education, since Romani and Beas minority teacher training courses are missing from the tertiary education system, which results in lack of trained Beas and Romani speaking teachers. Obviously, this speeds up the language assimilation and the loss of minority languages. Although the Romology course is available in some colleges/universities, this course does not provide specific language training. On one hand, it means that textbooks, dictionaries, and other

teaching materials are not available in Romani and Beas languages; on other hand eventually, it jeopardizes the quality of Roma minority elementary and secondary education (Office of the Commissioner for Fundamental Rights of Hungary, 2019). In 2019, the University of Debrecen – besides the University of Pécs – also announced a bachelor's degree in Romology, to which the number of admissions has increased from the general single-digit admission data of past years to 31 persons (CoE, 2020).

The Parliamentary Committee of Nationalities Living in Hungary, with the support of the Hungarian Government, elaborated a nationality kindergarten development programme in 2017, which was extended to nationality primary and secondary school teachers as well in 2018. The primary goal of this programme was to increase the number of young people choosing a nationality teacher career and the quality of nationality teacher training, as well as to make language training more effective, to retain nationality teachers in their professional field, and to improve the esteem of their profession (CoE, 2020).

3.6.2 Use of language in judiciary

According to point a) of Subsection (1) of Section 12 of the Nationality Act “a person belonging to a nationality has the right to freely use his/her mother tongue verbally and in writing, to acquaint himself with, foster, enrich and pass on his/her history, culture and traditions” in all fields, including the various scenes of justice (courts, the prosecution). Use of the mother tongue in civil and criminal proceedings as well as in public administration proceedings is ensured by the relevant procedural laws. Individuals and communities using nationality languages can be found throughout the country, so their special rights can be exercised not only by those living in bloc situation, but also those living in diasporas (CoE, 2018:65).

According to the Fundamental Law of Hungary, Section 9 of Act XIX of 1998 on Criminal Procedure (hereinafter: Criminal Procedure Act) declares as a fundamental principle the right to use the mother tongue.

According to Subsection (1) the language of the criminal proceedings is Hungarian, no one can suffer disadvantages because of the lack of command of the Hungarian language. Section 114 of the Criminal Procedure Act provides for an interpreter (CoE, 2018:65).

According to Section 6 of Act III of 1952 on the Code of Civil Procedure (hereinafter referred to as Code of Civil Procedure) the official language used at court proceedings is Hungarian. The Code of Civil Procedure states this as a general rule, however adding that no one can suffer disadvantages because of the lack of command of the Hungarian language. Act CX of 1999 extended the scope of application of this fundamental principle to regional and minority languages (CoE, 2018:67).

The translation costs incurred in the cases laid down in Section 6 of the Code of Civil Procedure is advanced by the state instead of the party entitled to use his/her mother tongue, regional or minority language, while the payment of these costs – with the exception laid down in point (4b) of Section 78 of the Code of Civil Procedure (i.e. regarding the costs incurred in connection with the translation of the court decisions and requests) – are governed by the general rules on the payment of the legal costs, i.e. if it is unsuccessful, the cost is borne by the party, however in case the state succeeds the other party is obliged – in the absence of personal exemption from legal fees – to reimburse the costs of the state (CoE, 2018:68).

Concerning proceedings before courts about administrative matters the National Assembly adopted with effect from 1 January 2018 Act I. of 2017 on the Code of Administrative Procedure, which implements the reform of the administrative proceedings act. The aim of the Code was the widest possible enforcement of the principle of effective legal protection on the one hand by guaranteeing the seamlessness of legal protection and, on the other hand, by establishing rules that create equality of arms. The Code was discussed by the National Assembly as a nationality agenda, the Committee on Nationalities in Hungary agreed with the content of the Code and did not propose any amendment to it. The legislation is in accordance with the guaranteed requirements of the European Charter for Regional or Minority

Languages, and similarly to the procedural rules in force it gives the right to use their mother tongue (CoE, 2018:68).

3.6.3 Use of language in public sector

It was found that the average knowledge of minority languages is at colloquial level but does not include the technical terms necessary in official proceedings (however it is a quite broad generalization because there is a significant difference between the 13 minorities, but the high degree of assimilation is common). The nationality self-governments use the Hungarian language in preparing minutes and documents for practical reasons: it was said that it would be difficult for the administrative bodies to translate them and the people whom they represent would prefer the Hungarian versions, too. The use of forms in minority languages in administrative proceedings is quite rare; the local governments are not able to provide the office routine in minority languages while the courts stated that claims for proceedings in minority languages is uncommon. Although the Act on the Rights of Nationalities provides the opportunity for representatives of minorities and nationality advocates to speak in their languages in front of the Parliament, the Act on the Parliament does not elaborate on that, only the Code of Conduct. The Commissioner proposed seven amendments in law to improve the implementation of linguistic rights of minorities (Office of the Commissioner for Fundamental Rights of Hungary, 2019).

From 1 January 2012 government offices exercise judicial supervisory powers over the municipal governments, instead of the former legal control. In this context, to ensure that people can use regional or minority languages before the municipal authorities, as specified by law, the government agencies can take actions with effective compliance management tools (CoE, 2018:70).

Concerning the use of nationality language during proceedings, according to Subsection (1) of Article XXIX of the Fundamental Law “nationalities living in Hungary shall have the right to use their mother tongue, to use names in their own languages individually and

collectively, to nurture their own cultures, and to receive education in their mother tongues”. In accordance with Subsection (2) of Section 5 of the Nationality Act “use of the mother tongue in civil and criminal proceedings as well as in public administration proceedings is ensured by the relevant procedural laws” (CoE, 2018:70).

The rules of the Administrative Proceedings Act do not restrict and do not make the right of minorities to use their own language conditional upon any circumstance, therefore members of nationalities are entitled to use the language of their nationality irrespective of their residence, the proportion of the nationality and the stage of the procedure (CoE, 2018:70).

Act I of 2010 on Registration Proceedings provides additional special possibilities in conjunction with the use of the nationality language. According to these provisions marriage and registered partnerships may be established in nationality languages, too. In connection with the use of names the person belonging to a nationality can choose an appropriate first name of the nationality and a family name formed according to the rules of the nationality language. The nationality first name register compiled by the concerned national minority self-government contains the eligible first names. The registration of the nationality family names, and the nationality first names not included in the nationality first name register is governed by the resolution of the concerned national minority self-governments (CoE, 2018:72).

3.6.4 Use of language in media

The Hungarian State recognizes the right of nationalities to freely express their opinion in their native language and facilitates the access of nationality communities to mass media tools. The public service broadcasters broadcast regular radio and television programmes to all 13 nationalities in Hungary, in their native languages. In Hungary, legislation ensures the operation of the ethnic minority media: public media service operates for the conservation and enhancement of ethnic communities, nurturing and enriching their mother tongue and culture to satisfy their cultural needs (CoE, 2018:73).

The Media Service Support and Asset Management Fund (MTVA) was founded in 2011 as an umbrella organization of the Hungarian public service media (MTVA, n/a). On the other hand, the Duna Media Service Nonprofit Private Limited Company (DUNAMSZ) exists to provide high-quality public service media and news agency services within and beyond the borders as well as to help to enforce freedom of expression and information (DUNAMSZ, 2017). Both entities, pay special attention to the fulfilment of their obligations under the Nationalities Act. The main goal of nationality programmes and programme elements defined by law coincides with one of the missions of the public media: to stop the loss of nationalities' languages, to save a mother tongue and the special culture linked to it, and to promote the preservation of identity. In the light of this, the public media ensures, according to paragraph 45. b) of the Nationalities Act, that nationality public service programmes be published, if possible, in a way and timing that is accessible for most members of the community in concern, so that the service would be available in all the relevant regions populated by the given nationality (CoE, 2020).

The web interface of MTVA and the National Audiovisual Archive (NAVA, n/a) are collective platforms for all programs that had been aired, nationality programmes as well, and it provides unrestricted access at any time of the day.

Nationality Radio (MR4) does an independent nationality radio and operates 24 hours a day. During the day live, native language nationality programs are broadcasted by the editorial boards, during the night the programmes are rebroadcasted. The nationality radio programmes broadcasted by the Hungarian Radio since 1998 operate with a uniform programme structure since 2007. The radio addresses, informs and entertains every established nationality in their own native language, and mediates and creates values. In addition to the news relating to the lives of nationalities and the news of their self-governments, the programmes also include the events of cultural institutions, traditional holidays, religious holidays, and the news and events of religious denominations (CoE, 2018:74).

The broadcast of German nationality television programmes started 40 years ago, in 1978 at the Hungarian Television. The German language magazine programme that is currently broadcast under the title “Unser Bildschirm” reports on nationality policy, events, and interesting information through reports, portraits, short films from the life of the German nationality (CoE, 2020).

The Boyash language programmes are part of the programmes of the Roma nationality. Roma television programmes are in Hungarian language, reportages in Lovari and Boyash language occur in case the interviewees speak the given language. As indicated in the report sent by Hungary and following the requests to increase the length of the Boyash (radio and television) and German (television) language content and improving the broadcast time, it is noted that there are challenges since the media must take into consideration all thirteen nationalities legally recognized in Hungary. Consider the airtime distribution, the rearrangement or change of ratios for the benefit of one or more nationalities may harm the interests of the other nationalities. Similarly, the transformation of the broadcast time of programmes may also mean harm for interests (CoE, 2020).

The broadcasting of programmes for nationalities on the Hungarian Television started more than 35 years ago. The German programme and the Serbo-Croatian programme started in 1978 (in Pécs) (now there are separate Serbian, Croatian, and Slovenian programmes) were later followed by a Romanian programme and a Slovak programme in Szeged, and then, in 1992, Roma programmes were also introduced. The (Bulgarian, Greek, Polish, Armenian, Rusyn and Ukrainian) programme titled “Rondó” started in 1994 (CoE, 2018:77).

3.6.5 Use of language in cultural activities and facilities

Nationality self-governments maintain national communal scenes and institutions of community culture, and the institutions of community culture maintained by local governments have tasks in connection to nationalities, too. Nationality programmes and communities are hosted by local institutions of community culture, communal scenes,

public collection institutions (local folklore houses, museums, libraries, occasionally theatres) (CoE, 2018:84). Considering that Hungary has developed and implemented cultural autonomy for nationalities living in the country, cultural activities and facilities largely depend on the work and organization of nationality self-governments.

The Preamble to the Cultural Act provides that the preservation and worthy continuation of nationality cultural traditions; the enhancement of personal, intellectual, and economic conditions for community and personal culture and education; activities improving the citizens' quality of life and carrying values; and the facilitation of the operation of institutions and organizations serving the implementation thereof are in the common interest of the society. In the scope of its fundamental principles the Cultural Act states, that everyone has the right to get acquainted with cultural property and its importance in historical developments and in the formation of national and nationality self-awareness, and about the protection of this property, through the activity of museum-type institutions, library services, education, community culture, awareness raising, the press and mass communication (CoE, 2018:87).

According to the state report submitted by Hungary (CoE, 2018:89) the Hungarian National Foreign Language Library (NLFL) each dedicated funds for supply of documents related to nationalities and for extending the NLFL's own collection on nationalities. NLFL prepares recommendation lists for documents for the 19 county libraries and for the Metropolitan Ervin Szabó Library in 11 nationality languages (Bulgarian, Greek, Roma, Croatian, Polish, German, Romanian, Serbian, Slovak, Slovene, Rusyn). NLFL cooperates public collections, foreign cultural institutes, embassies, nationality self-governments, nationality cultural organizations in the implementation of professional projects and cultural programmes.

Since 2013 the funding possibilities of national theatres – within the entire performing arts sphere – is regulated by Act XCIX of 2008 on the Support and Special Employment Rules of Performing Arts Organisations. According to the law, non-certified theatre and dance

performing arts organizations may receive support through tenders. The scope of the applicants is the performance arts organizations included in the official register maintained by the National Cultural Fund Performing Arts Office. As positive discrimination the State Secretariat responsible for Culture of the Ministry of Human Capacities separates the Hungarian nationality theatres – in view of their special situation – in operating tendering constructions relating to performance arts organizations as a closed group of applicants, to avoid competing with other applicants and to ensure that, besides their professional performance, they are evaluated based on their social engagement (CoE, 2018:94)

3.6.6 Use of language in economic and social life

In Hungary, public but mostly private services encourage languages learning. Those with foreign language skills can earn up to 30% more than those who do not have such skills. French comes in second place after English as a priority language in the public sector (EFNIL, 2009).

Hungary has a particular tradition of multilingualism, characterised by imposed imperial and state languages on the one hand, and various minority languages due to migratory movements of people belonging to various ethnicities (minority languages).

German language has been in both the roles- it used to be an imperial language in Hungary in a specific historical period of the Monarchy and was used by its German minority populations arriving to the territory of the current Hungarian state since the 15th-16th centuries. The German language, as a language of power and knowledge, and as a language of people has been present in this region through long centuries.

The history of the use of the English language is much shorter compared to German language, and can be linked to the post-1989 changes, of foreign capital, Western knowledge and culture coming into the country, and in education system it is clearly linked to the Bologna process and Hungary's accession to this process. The above difference in the historic heritage of the two languages in Hungary is

reflected in a generational divide between its users too. While older generations prefer and speak mostly German, younger generations are more familiar with English (Árendás, 2015).

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3.7 The case of Italy

Italy, as a founding EU member and the largest state (in terms of territorial coverage) in the Adriatic area, represents a particular model for minority rights' protection. In Italy, there are many linguistic minority groups living together, rather different from each other in the number and level of protection granted to them by the legal system (Andeva, 2013). Through the years, the Italian legal order has been developed in a rich and complex instrument in regard to the juridical treatment of differences.

There are around 2.5 million (around 4.5% of the population), divided into at least 12 different language groups. Despite the significant presence of different language groups from the unification, the question of minority was raised only after World War II, following the annexation of South Tyrol by Italy.

South Tyrol, situated in the very north of Italy on the border of Austria, covers only 2.5% of the Italian territory. The population of 450.000 inhabitants (corresponding to 0.8% of Italy's population) consists of 3 language groups: two-thirds German speakers, less than one-third Italian speakers and some 20.000 Ladin speakers (their language is also called Rhaeto-Romance) (Pföstl, n/a).

Legal framework

Italy has ratified the Council of Europe Framework Convention for the Protection of National Minorities; however, has signed but not ratified the European Charter for Regional or Minority Languages. The Italian Constitution does not contain any reference to general language arrangements or a national language. Law 482/99 fills that void, stipulating clearly that Italian is the official language of the Republic.

The Italian Constitution uses the linguistic criteria as a distinguishing feature when defining the term 'minority'. Despite the adjective "ethnic" appearing in some regional statutes (Trentino-Alto Adige, Friuli Venezia Giulia), the intention is in eliminating references to political-national and ethnic-racial issues and placing the minorities' protection by a linguistic and cultural factor (Andeva, 2012a).

Twelve minority languages are recognised and protected by Law 482/1999: French, Provençal, Franco-Provençal, German, Ladin, Friulian, Slovene, Sardinian, Catalan, Albanian, Greek and Croatian. Law 482/99 is in itself a framework law, which means that it only establishes a potential protection mechanism, which has to be “activated” subsequently at local level. Local authorities may therefore use Law 482/99 as a basis for the granting of genuine language rights but must in so doing also respect the limits imposed by it (van der Jeught, 2016). The enforceability of the rights of minorities can only be tied to a specific territory associated with protecting minority rights, precisely because it is recognized in principle to a given territorial area (territorial principle).

The law 482/1999 provides a series of linguistic and cultural rights in favour of minority groups subject to protection. With reference to public use of the language, the law provides for the possibility of using the language protected in the collective bodies of local authorities concerned, with the right translation in Italian for those claiming not to know the minority language. The law also provides for municipalities to adopt, in addition to official place names, even those "in accordance with traditions and local customs" as well as the right for citizens whose real last name were Italianized to obtain the same in the original form (Andeva, 2013). Finally, as Palermo and Woelk point out, the law reaffirms the three fundamental pillars on which the constitution for minorities is laid on: 1) the language criterion as an element identifier; 2) the need for recognition and; 3) the anchoring of territorial rights recognized (Palermo and Woelk 2011: 290).

There are two types of regions in Italy. Five (Friuli-Venezia Giulia, Trentino-Alto Adige, Val D'Aosta, Sardinia and Sicily) regions have a special autonomy status and the remaining fifteen have an ordinary statute. Those with special autonomy statues are those that due to economic, cultural, linguistic, geographical reasons or international agreements and obligations have gained a certain autonomy prior to the approval of the Italian Constitution in 1947. They are specifically mentioned in the Italian Constitution under Art. 116 (Italian Senate, n/a). Their statutes were approved in 1948 (in 1963 for Friuli-Venezia Giulia).

The Regional Autonomy Statute is the basic law of each region. To secure the special arrangements for linguistic and minority rights, the Italian Constitution provides that the autonomy statutes of the special regions must be adopted by the national parliaments with a constitutional law (Art. 116, para. 1). In addition to the regional statutes (and special) and the General Act of 1999, there are few ordinary laws of the State to recognize and guarantee a set number of minority language rights. Among these, could be mentioned, the provisions of the Code of Civil Procedure (Rile 122 c1) and of criminal procedure (Art. 109, para. 2) that recognize the right to work in the process of a language other than Italian with the intervention of an interpreter. Also, the rules providing the possibility of setting up schools with teaching language other than Italian (German, French and Slovenian) special rules for the broadcasting media sector (in the same language). However, these provisions do not recognize rights generally to the whole territory of the country, but they take note of the situation of regional diversification determined by the regional statutes and the socio-political realities of the various linguistic minorities living in the respected regions (Andeva, 2012a).

The most advanced linguistic minority protection is seen in the region of Trentino-Alto Adige in general and in the Autonomous Province of Bolzano in particular. The German-speaking groups in South Tyrol have the basis of their protection primarily due to one international treaty, that is, the Gruber – De Gasperi agreement (Rautz, n/a). The main elements of the agreement are equality and special rights in favor of the German-speaking inhabitants, as well as legislative and administrative territorial autonomy: “German speaking inhabitants of the Bolzano Province and the neighboring bilingual townships of the Trento Province will be assured a complete equality of rights with the Italian-speaking inhabitants, within the framework of special provisions to safeguard the ethnical character and the cultural and economic development of the German-speaking element. The German-speaking citizens will be granted in particular :1) elementary and secondary teaching in the mother-tongue; 2) German and Italian language in public offices and official documents, as well as in bilingual topographic naming; 3) the right to re-establish German family names

which were Italianized in recent years; 4) equality of rights as regards the entering upon public offices, with a view to reaching a more appropriate proportion of employment between the two ethnical groups” (Art. 1 of the Gruber-De Gasperi Agreement).

The Autonomous Region Friuli Venezia Giulia officially recognised three regional languages – and therefore three linguistic minorities – on its territory: the Friulian, Slovenian and German language. The Slovenian minority and language are protected in the municipalities of the Province of Trieste, in some municipalities of the Province of Gorizia and the Province of Udine (in the so called “Slavia friuliana” area and “Val Canale” area). The regional legal framework covers the following main legal texts crucial for the protection of the Slovenian minority: the Regional Law n. 26 from 16 November 2007 concerning the regional standards for the protection of the Slovenian linguistic minority; and the two Decrees of the President of the Region (no. 0253/Pres. from 05.08.2005 regarding the regulations for recognition of organizations and institutions and n. 0340/Pres. from 03.10.2005 on granting funds in favour of the minority). The Law n.38/2001 recognizes and protects the rights of Italian citizens belonging to the Slovenian linguistic minority in the provinces of Trieste, Gorizia, and Udine (Andeva, 2012b).

In the Val d’Aosta/Vallée d’Aoste region there is bilingualism. The Italian and French languages are treated as equivalent, and at the same time ensures the protection of the culture and language of the Walser community residing in Valle del Lys along with the French-speaking community using the Franco-Provençal language. French language is widespread among residents and is studied in all types and level of schools (CoE, 2019).

3.7.1 Use of language in education

Law N. 107 of 13 July 2015 “Reform of the national education and training system and delegation for the reorganization of the existing legislative provisions” does not contain specific norms on minority languages, it lays down some provisions that constitute major opportunities for minority language teaching and it provides for a reinforcement of school autonomy (CoE, 2019: 42).

In order to comply with Art. 1, paragraph 197 of Law N. 107 of 13 July 2015, the Italian Ministry of Education, University and Research issued the Ministerial Decree N. 809 of 8 October 2015 regarding special provisions for the educational institutions in which Slovene is the teaching language and bilingual educational institutions Slovene Italian. In particular, the decree contains provisions regarding the initial training and the enrolment of the teaching staff together with the adaptation of the educational supply in relation to the specific needs of the schools in which Slovene is the teaching language (CoE, 2019: 42).

In South Tyrol, the instruction in native language in public schools’ dates back to 1946 (Paris Agreement) as a right for a native-language elementary and secondary school instruction and as well a right to use either German or Italian in public offices and in official documents and place names. In the province of Bolzano, in kindergarten, primary and secondary school teaching is carried out in Italian or German language as mother tongue of the pupils by teachers having this language as a mother tongue. The Autonomy Statute established two separate and parallel school systems, with preschool, primary and secondary schools either in Italian or German language. In the case of Ladin language school, the instruction on equal terms is in German and Italian alongside the use of the Ladin as a language of instruction. The Ladin language is used in nursery schools, and it is taught in primary school in Ladin districts/valleys. This language is also used as a teaching instrument in every kind of school in the same territory. In such schools the Ladin language is on equal standing with the Italian and German language. It is in the competence of the provinces to decide over kindergartens, schools’ construction, professional

education and vocational training. Learning the second language in the province of Bolzano is mandatory. All teachers must be native speakers or their teaching language. Ladin is taught in kindergartens and elementary school.

In the Region Val D'Aosta, in the territory of the upper Val de Lys (Issime, Gressoney- Saint Jean and Gressoney-La Trinité) the teaching of German language in schools is ensured and various projects dealing also with Walser language and culture (Titsch and Toitschu) are underway (CoE, 2019).

If we exclude the case of the teachers at schools in which Slovene is the teaching language, for which a specific class of recruitment is provided, there are not classes of recruitment for the minority languages teaching due to the great number of languages, the linguistic variations of each safeguarded minority and their different dissemination throughout the Italian territory. The teachers that teach the minority language in schools situated in locations safeguarded by Law N. 482 of 1999 are teachers, professionally qualified to teach at the pre-primary or primary schools or in the specific disciplines of secondary schools, who possess further competences in the specific minority language acquired through university courses or other training courses, that is to say additional certifications to the provided professional qualification for each school level acquired through continuous training. In the case of the Friulian language, there is a regional register of teachers (CoE, 2019: 43).

There is not a National Curriculum of minority languages, however in the National Guidelines for pre-primary schools and the first cycle a particular attention is payed to the valorization of the mother tongue and one's cultural heritage following the vision that plurilingual and intercultural education is a cultural instrument fostering active citizenship. At the same time, there are not textbooks written in a minority language, except for the cases in which the language is part of the curriculum as in schools in which Slovene is the teaching language or bilingual schools Slovene-Italian or in the case of Ladin schools in Bolzano (CoE, 2019: 43).

3.7.2 Use of language with judicial authorities

In Trentino-Alto Adige, as a rule, criminal proceedings are conducted in the language chosen by the defendant. From the moment of the defendant contact with the judicial authorities or the police, he/she is asked to state his/her mother tongue (Art. 14 D.P.R. 574/1988). The trial is bilingual only in the presence of co-defendants of different languages or when the party joining prosecution as plaintiff chooses the other language (Art. 13 of D.P.R. 574/1988). Civil proceedings are governed by a small number of provisions. Trials are conducted in a single language when the summons and the statement of defense are drafted in the same language; otherwise, it is bilingual. There is also the possibility, expressly introduced by Legislative Decree n. 282/2001, of transforming a bilingual trial into a single language trial (Decree n.283 of 29 May 2001 and Decree n. 124/2005 of 13 June 2005).

3.7.3 Use of language in administrative authorities and public services

In Trentino-Alto Adige, specifically in the Province of Bolzano/Bozen, citizens have the right to use their own language in relations with public administration bodies and offices. As a rule, for the public administration, a separate use of one or the other official language is established. Documents are issued in a single language (either Italian or German) with the expectation of statutory bilingual deeds. Therefore, when the public administration officials answer a citizen request in writing, it must be in the language used by the citizen as applicant of that specific request. The public employers must be bilingual (trilingual in the ladin valleys) which has to be proved by a public examination (Pföstl, n/a). The Official Journal of the Region Trentino-Alto Adige also contains German version of the laws and decrees affecting the region.

In the region Val D'Aosta, the knowledge of French is an essential requisite to be employed in the regional offices where, in all cases, bilingualism is ensured. In the collegiate bodies of municipalities in

the Val d'Aosta it is allowed also the use of Franco-Provençal language. In addition to Italian and French, documents may be drawn up also in German language (CoE, 2019).

Members of the Slovenian minority have the right to give their children Slovenian names. They also have the right to have their name written or printed in proper form according to the Slovenian spelling in all public acts.

The Slovenian minority is entitled to use the Slovenian language in relations with the public authorities and local courts, with the dealers of services of public interest established in the territory. The right to receive a response in Slovenian language is also recognized: a) in verbal communication, usually directly or through an interpreter; b) in correspondence, with at least a translation attached to the text written in Italian; c) in the municipal acts and measures of any kind for public use. Competent public administration offices provide contextual translation in Italian of speeches and writings. The communication in the offices of the Regional Council, Regional Administration and dependent entities is also allowed in the Slovenian language; the law ensures that the information direct to the public, as well as those of specific interest to the minority and institutional and promotional information spread throughout the region are also published in Slovenian in the magazines. Personal documents such as identity cards (IDs) and personal certificates are issued at the request of concerned citizens, both in Italian and Slovenian or in Italian only. The official forms for access to benefits are provided by law in Italian and Slovenian language. The collegial bodies and elected assemblies located in the territories are entitled to use the Slovenian language in speeches and writings, and in the presentation of proposals, motions, questions, and interpellations. The Slovenian language can be used for place names and road signs in parts of municipalities and localities identified by law. In the area of settlement of the Slovenian minority language on signs on public display and in all indications for the public, including the labels on agricultural products, handicrafts and industrial products, are available in Italian and Slovenian language (Andeva, 2012b).

A specific Fund for the financing of projects submitted by local authorities and local state administrations has been established at the Presidency of the Council of Ministers – Department of Regional Affairs; so far, the priority use of the fund has been guaranteeing the oral and written use of protected languages. This right is recognized by art. 9 of Law No. 482/1999; in public administrations only the Armed Forces and National Law Enforcement Bodies are exempt from complying with this obligation (CoE, 2019: 40).

3.7.4 Use of language in media

In Italy there are several important laws governing the introduction of minority languages in the mass media. Article 12 of the Law n.482/1999 that the state assures the protection of minorities and stipulates that regions and local authorities can draw up special conventions with the Italian public service broadcaster Radiotelevisione Italiana (RAI) for the production of programmes in minority languages (Sierp, 2008).

The other main legislative text is the Contratto di servizio (Service contract) between the Ministry of Communication and RAI, spelled out on 14 February 2003, in which RAI underlines its commitment regarding the protection of minorities (Ministry of Justice, 2003). Furthermore, there is Article 6 of the Public Radio and Television Broadcasting Service Act n. 103/1975 which states that a certain percentage of television and radio broadcasting time must be reserved for ethnic and linguistic groups and Article 1 of the Communications Act n.249/1997 laying down the conventions whereby the minority programmes were to be funded. Of importance is also the Act n. 112/2004 confirming that the public radio and television service guarantees access to programmes for minorities.

In the province of Bolzano and thus in South Tyrol, German, Ladin and Italian speakers have excellent access to media in their respective languages. The media tend to follow the principle of ethnic division.

In the Region Val D'Aosta, Radio and TV programs are broadcasted in French, German and its language variants, i.e. Titsch and Toitschu (CoE, 2019).

The Italian national television Rai is required to ensure the production and distribution of radio and television broadcasts and audiovisual content in German and Ladin for the Autonomous Province of Bolzano, in Ladin for the Autonomous Province of Trento, in Sardinian for the Autonomous Region of Sardinia, in French for the Autonomous Region of Valle d'Aosta and in Friulian and Slovene for the Autonomous Region of Friuli-Venezia Giulia.

For the Friuli-Venezia Giulia and Valle d'Aosta regions and for the Autonomous Provinces of Trento and Bolzano, there are agreements between the Presidency of the Council of Ministers and Rai are renewed within three months, as provided for by Law no. 103 of 14 April 1975 and subsequent amendments and additions.

For the relevant decisions, RAI is required to submit to the Ministry, within six months from the date of publication of this Contract in the Official Journal, an operational project agreed with the regions concerned for the purpose of concluding the relevant agreements, without prejudice to the agreements referred to in the second clause, to ensure the application of the provisions designed to protect the languages referred to in Law No 482 of 15 December 1999, taking account, more specifically, of the following criteria:

- differentiation of needs according to their respective areas of origin.
- the need to pursue objectives of effectiveness and efficiency.
- the characteristics of the different distribution platforms regarding the targets to be achieved (CoE, 2019:39).

3.7.5 Use of language in cultural activities and facilities

In the province of Bolzano, in regard to the cultural rights and preserving of cultural heritage, the province (as is the case for the rest of Italy) retains full legislative control in respect of the preservation and safeguarding of the province's historic, artistic and cultural heritage. Italian, German and Ladin-speakers enjoy group protection in regard to preservation of their culture. Each group protects and promotes its culture through their own institutions, schools, and proportionally allocated financing by the province.

Apart from the linguistic rights, the members of the Slovenian minority have the right to form organizations and associations (trade unions and professional organizations), the right to elect their political representatives, and right to economic activities and a right to be protected against discrimination (on ethnic basis). Regional Consultative Commission for the Slovenian minority is formed as an organ of general advice on all matters and issues related to Slovenian minority and language in the region (Art. 8 of the Regional Law n. 26/2007) (Andeva, 2012b).

3.7.6 Use of language in economic and social life

In the province of Bolzano, knowing German has become a determining factor, as the Italian language is no longer sufficient to find a desirable employment. In the public sector, it is established firmly the bilingualism as a prerequisite for employment (Decree n. 752 of 1976).

In what concerns the members of the Slovenian speaking minority in Friuli-Venezia Giulia, the right to the names, emblems and insignia in Slovenian language is applied to the Slovenian companies, and other legal entities, as well as to institutions, organizations, associations, and foundations (Andeva, 2012b).

In the Region of Val D'Aosta, toponymy of the region's municipalities is exclusively francophone, except for the town of Aosta, where bilingualism is present in toponymy. In addition to French, it is

possible to write names also in Franco-Provençal and other minority variants (CoE, 2019).

Citizens belonging to the Slovenian minority may obtain a change of their names written in Italian and imposed on them prior to the corresponding name in the Slovenian language or in the language usually used in their social relations (Andeva, 2012b).

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3.8 The case of Kosovo

In the Republic of Kosovo, the Albanian and Serbian languages, as well as their alphabets, are official languages, have equal status as official languages and equal rights to their institutional use in Kosovo. The language of any community that comprises 5% of the total population in a municipality acquires the status of an official language. The language of any community that comprises 3 or more % of the total population in a municipality or that is traditionally used in a municipality may be used as an official language. In this regard, Article 2.4 of the Law on the Use of Languages (Article 2) stipulates that a community, whose language is traditionally spoken in a municipality, has the status of a language for official use in the same. For that to happen, the municipalities adopted a detailed rulebook in accordance with Article 35 of the Law on the Use of Languages. The official languages of the Republic of Kosovo enjoy equal status in all institutions in Kosovo where the respective languages are used, and citizens have equal rights in the use of the official languages in their connection with institutions in Kosovo.

The use of official languages in the territory of the Republic of Kosovo is ensured by the Constitution of the State, the Law on the Use of Languages, the Law on the Protection and Promotion of Communities and Their Members in the Republic of Kosovo, the Office of the Commissioner for Languages, the Ahtisaari Plan, and the Language Services Administration. All these bodies work in accordance and are mutually synchronized to enable and ensure equal and adequate access to the use and application of languages of all citizens in the Republic of Kosovo.

Legal framework

The Constitution guarantees to the members of all communities, without considering their affiliation and percentage, the right to express themselves, to preserve and develop their culture and to preserve their language, individually or as a community and to protect the right to free use of their language, in oral and written form, in private and public settings. In addition, according to the Constitution, direct or indirect discrimination based on language is strictly prohibited, and the state should take measures to protect and promote the rights of individuals and groups that may be subject to this type of discrimination. Then, the Constitution put into effect the principle of bilingualism; After he determined that the Albanian and Serbian languages remain official languages at the national level, and the Turkish, Bosnian and Romani languages would be granted the status of official languages only at the municipal level.

The law on the use of languages published in the Official Gazette on March 1, 2007, ensures the use of the official languages, as well as the languages of the communities whose mother tongue is not the official language in the institutions of Kosovo, in enterprises and other organizations that perform public functions and services; Equal status of Albanian and Serbian languages as official languages in Kosovo, equal rights regarding their use in all institutions in Kosovo. This law protects the right of all communities in Kosovo to preserve, protect and promote their linguistic identity.

Law on protection and promotion of the rights of communities and their members in the Republic of Kosovo published in the Official Gazette on June 4, 2008. guarantees full and complete freedom for the entire people of Kosovo, and specifically determines ethnic rights of an educational, health, linguistic, cultural, political, and socio-economic nature (Article 1).

Institutional framework

Office of the Commissioner for Languages - supervises the application of the Law on the Use of Languages by the institutions under its jurisdiction. KKJ takes the necessary measures to ensure compliance, makes recommendations regarding the consistency of each administrative act, and offers legal advice to citizens regarding their language rights. It also offers advice and assistance to institutions to fulfill their duties to implement the Act. It promotes the languages of the communities; whose languages are not official. Develops and implements a communication plan, the KKJ is competent and authorized to carry out investigations based on submitted complaints or on its own initiative, in the institutions of the Republic of Kosovo, in organizations and public enterprises, to ascertain whether they have hindered the application of the Law (Govt. of the Republic of Kosovo, 2012).

Ahtisaari's plan – in the basic document in the establishment of the Kosovo state, it is confirmed that Kosovo has its roots in a multi-ethnic society and that its institutions should ensure that all individuals are assured of its authority and allow them equal treatment within its jurisdiction, regardless of ethnicity and the language they speak. The plan stipulates that all persons from Kosovo have the right to enjoy basic human rights and freedoms, without discrimination on any linguistic basis. Ahtisaari's plan not only sets a comprehensive framework for the protection of linguistic rights of communities, but also provides a series of detailed procedural guarantees (Vetevendosj, 2007).

The Language Services Authority is responsible for the written translation from Albanian to Serbian and vice versa, in certain cases at the request of the deputies and into Turkish, of all materials within the Assembly; The simultaneous translation into Albanian, Serbian and Turkish at the plenary session of the Assembly, the meetings with the Presidency, the meetings with the plenary commissioners and the public listeners, according to the Rules of the Assembly; Proofreading of all materials within the Assembly - minutes, reports, conclusions, recommendations, resolutions, concepts, draft laws and amendments;

Typography of the translated/proofread materials in Albanian and Serbian (Assembly of the Republic of Kosovo, n/a).

3.8.1 Use of language in education

In the Republic of Kosovo, the use of the mother tongue in the educational process is guaranteed by the Constitution as well as by law. Every person from Kosovo has the right to receive public education at all levels in his preferred official language. The Ministry of Education, Science and Technology (MONT) is responsible for its correct application. Municipalities are then required to provide instruction in the person's chosen official language or offer an alternative, such as subsidized transportation to an area where such instruction is offered.

The legal provisions of the Law on the Use of Languages ensure that the teaching languages in public education should be in accordance with the provisions of the Constitution and the laws of the educational field. According to the provisions of articles 1, 2 and 3 every person has the right to be educated in his mother tongue and every person has the right to choose for himself and for his family the official language he prefers for instruction. In municipalities where the person's chosen official language is not used as a language of teaching in any school, appropriate provisions are determined by law to ensure the teaching of their chosen official language and the application of non-primary official languages is determined by the Ministry of education, science and technology. Article 20 of the same Law stipulates that in areas inhabited by persons belonging to communities whose mother tongue is not an official language, persons belonging to the respective communities have the right to study in their mother tongue in public educational schools.

In those circumstances, the Ministry of Education, Science and Technology through administrative guidelines determines the details for the application of a certain right that belongs to the communities. To ensure this, the Government intends to establish integrated curricula in non-official community languages. The Ministry of

Education, Science and Technology, within the available resources, provides training for staff to teach the curriculum in the language of the community. Responsible teachers should be familiar with the identity of the communities, and the municipality should provide pre-university teaching in all official languages of the communities. When this is not possible within their territories, municipalities should provide an alternative, including subsidized transportation in areas where such schooling is offered. Texts in the languages of the communities, at primary and lower secondary level, are free (OSCE, 2018). In relation to pre-university education in the languages of the communities, MONT has developed curricula for pre-university education in Turkish and Bosniak languages.

Pre-university education in Kosovo in the Albanian language is mainly carried out by the Albanian community in Kosovo, as well as by members of the Ashkali and Egyptian communities in Kosovo, whose mother tongue is Albanian. In addition, the members of the other communities, whose language is not Albanian, choose it as the language of instruction; especially the Bosniaks, the Gorani, the Turks and the Roma from Kosovo (who live in areas with an Albanian majority). According to the OSCE report (2018) on community access to preschool education, pre-university education in the Albanian language is available in nine out of ten municipalities where the Albanian community is in small numbers. With the exception of Štrpce and Novo Brdo, education in the Albanian language is limited to primary and secondary education. Students in municipalities with a non-Albanian majority and without secondary and higher education in the Albanian language move to neighboring municipalities with an Albanian majority to continue their education after completing primary and secondary school.

Education in the Serbian language at all levels of education is guaranteed by the Constitution of Kosovo, the Laws on Languages and all by-laws. Education in the Serbian language in the Republic of Kosovo is organized and led by the Ministry of Education of Serbia and is taught by members of the Serbian community and communities that use the Serbian language (mainly Gorani, Roma and Bosniaks). Educational institutions in the Serbian language, covering all levels of

education, function in all parts of Kosovo where members of the Serbian community and other Serbian-speaking communities live. As it currently stands, this network is completely separated from the wider education system of the Republic of Kosovo. The Serbian language education system is not known to Kosovo and the Kosovo system is also not known to the Serbian system. Schools offering education in the Serbian language are in six regions of Kosovo.

Although the Constitution of Kosovo guarantees education in the Serbian language and allows the use of school texts and teaching materials from the Republic of Serbia, this is intended to take place through a complex of reciprocal agreements between Serbia and Kosovo, which have not yet been concluded. Therefore, practically the two systems exist side by side, without any interaction. This situation has existed since 1999, with the decision of the UN Administration in Kosovo, and it continued even after the declaration of Kosovo's independence in 2008. In addition to the many political, educational, and cultural issues that arise because of this division, one key practical issue that has blocked the access of Serbs and other communities to education and employment is the non-recognition of diplomas of either system. Such non-recognition effectively prevents individuals from overcoming that divide between the two systems.

According to the OSCE report (2018), pre-university education in the Bosnian language is provided in seven out of nine municipalities where there is a Bosnian population in Kosovo, i.e. in 53 primary and secondary schools, and pre-university education in the Turkish language is provided in five out of six municipalities, where the Turkish population lives in solid numbers in Kosovo. The data on the number of primary and secondary schools in Turkish as the language of instruction is 18 by 2018, according to the OSCE report. The main challenge for the members of the communities that follow the teaching of Bosnian and Turkish language is the supply of schoolbooks in these languages. Some students need to use photocopied books, as not all books are available to everyone.

The Government of the Republic of Kosovo ensures equal access to persons belonging to higher education communities at the university

level. Article 23 of the Law on the Use of Languages in Education stipulates that official languages in Kosovo are the primary languages of instruction at public universities. According to this article, the rules for the use of the official languages and any other language in the curricula are determined by the universities through their acts, and in the training for teachers, interpreters, and translators of the languages of the communities, the universities harmonize the use of the languages of communities as languages of instruction. Also, the use of language in the university administration is determined by the universities through their regulations, which should comply with the legal provisions.

3.8.2 Use of language in judiciary

According to the Kosovo jurisdiction, all persons have equal rights regarding the Use of Official Languages in the institutions of Kosovo and the Law on the Use of Languages (Article 12), specifically provides articles that provide citizens who speak different languages equal access to the judicial system in Kosovo. In all institutions and in the judiciary, according to the law, it is a duty to use both official languages. The use of languages in the judicial procedure ensures the conduct of the judicial process without violating the rights of the parties in that procedure, the Courts, and the criminal prosecution authorities, including the other competent authorities in the criminal process and in the other judicial processes, of each individual who takes participation in criminal processes and in other judicial processes, ensures that he/she can use the official language that he/she has chosen. After the courts conduct the process in an official language, with requests from both parties to the procedure, they can choose to use the language they know.

A number of freedoms related to language rights also apply to suspects of any civil or criminal offense in the Republic of Kosovo. Articles 12-18 of the Law on the Use of Languages provide for the use of official languages in all court proceedings, offering the right to any person in such proceedings to request the use of any language of his/her choice. All procedures, documents, notices, and

correspondence are first issued in the official languages. Every person, whose language is not official or is not in official use, has the right to communicate, request services and respond in his native language and thus adjust the use of the language in an individual way to the needs of each party/ criminal institution, judiciary and prisons that are in charge of offering translation and communication assistance to all persons who do not understand one of the official languages or for other reasons choose to use a language that is more understandable to them.

In criminal proceedings, the authorities involved (courts, prosecution authorities, etc.) should ensure that all participants can use the language of their choice. Thus (Article 13), the participants have the right to request that the procedure should be translated orally, simultaneously, from one to the other official language. Participants in court proceedings who neither speak nor understand the language used in the proceedings have the right to use their own language, that is, the one they speak. For members of communities whose mother tongue is not one of the official languages, the language they will use in court proceedings should be their mother tongue. This right also applies to the delivery of documents, testimony and inspection of facts and any other evidence. For this purpose, the concerned judicial authorities are obliged to inform themselves immediately, in the language he/she understands, about the reasons for the detention, about any charge brought, about the rights to take legal aid and to contact the appropriate person. This covers all languages, whether official or not.

During the admission process in a correctional institution, the detainee should be informed in writing or orally in the language he/she understands. In case of illiteracy, according to (Article 17) "the internal rules and the order of the correctional institutions, the duties that have to be fulfilled and the way of exercising the rights during the execution of the sentence, for the disciplinary punishments that can be imposed on him or her and the benefits that can be obtained." Prisoners subject to disciplinary procedures have the right to the assistance of an interpreter during the same, which take place in a language that he/she does not understand. Thereafter, the person

who has been punished has the right of access to information in the mother tongue, such as the daily and periodical press, television, and radio programs, as well as books from the institutional library or from his/her own funds. Finally, in the Law on the Use of Languages (Article 18) "criminal institutions and detention centers should ensure that their staff speak the language or languages spoken or understood by the majority of prisoners". If necessary, an interpretation should also be provided.

3.8.3 Use of language in public sector

In the Republic of Kosovo, the Law on the Use of Languages in Article 4 paragraph 2 provides that every person has the right to communicate and receive available services and public documents from the central institutions of Kosovo in any official language. The Albanian and Serbian languages and their scripts enjoy equal status at the central and municipal levels. All central and municipal institutions have a duty to ensure that every person can communicate and receive accessible services and public documents from their authorities and institutions in any official language. The official languages are used equally in meetings and in the work of the institutions, and they are obliged to provide translation from one to the other official language, if such a translation is required in the process with the parties, in the internal work of the institution as well as during the organization of events by public character.

The prime minister's office has employed 130 civil servants, of whom 123 declared themselves as Albanians and 7 as members of minority communities – one Turkish, one Montenegrin and five "other". Percentage wise, Albanians make up 94.61%, Turks 0.76%, Montenegrins 0.76%, and "other" 3.84% of the total number. In the language policy study, the Prime Minister's Office stated that in 2011 there was no data on the number of civil servants who could work effectively in the official languages (Government of the Republic of Kosovo, 2011) The Prime Minister's Office has four language assistants, two of whom translate from Albanian to Serbian, and two

from Albanian to English. These language assistants are given the opportunity for external training and participate in OSCE training sessions on translation techniques and other translation-related activities. In cases where language assistants cannot translate all documents into the official languages, the Cabinet calls on a private translation company just in case (Government of the Republic of Kosovo, 2011).

A person whose mother tongue is the language in official use, has the right "to submit an oral or written request and documents and to receive an answer in his/her language, from the institutions and from the municipal offices, if he/she requests such a thing." The administrative instruction no. 2007/06 on the determination of the procedures for the application of the Law on the use of languages, stipulates in Article 3.1, after the implementation and publication of a fully comprehensive register, the languages of the communities that refer to 3% to at least 5% of the population of a certain municipality, should immediately be recognized as languages in official use. The Chief Executive Officer is responsible for informing the Chairman of the Municipal Assembly, who in turn should ensure that an item is placed on the agenda of a future meeting of the Municipal Assembly for decision-making. If the Municipal Assembly fails to recognize a language in official use, based on the result of the population census, community members have the right to appeal to the Chief Executive and then, if the Assembly fails to do so, then to the Language commission. After the decision is adopted, the Municipality has three (3) months to implement the decision of the Municipal Assembly and the communities can appeal to the Language Commission, if this delay is not respected.

Irrespective of the demographic profile, the traditional languages spoken in a municipality should also be recognized as languages in official use within the municipality. The procedures for accepting a traditional spoken language as a language in official use are also defined in the Administrative Guidelines for determining the procedures for applying the Law on the Use of Languages. Members of communities whose language is traditionally spoken, can submit a direct request to the Presidency of the Municipal Council, using the

official form provided in Appendix 1 of this Guideline, and supported by at least ten (10) signatures from the members of such community. It is the responsibility of the Municipal Council Presidency to ensure that the request is tabled at the next Municipal Council meeting, along with the recommendations of the Communities Committee. Within sixty (60) days, a decision must be made and communicated to the opt-outs.

In accordance with Article 2.4. and 35 of the Law on the Use of Languages, the municipalities are obliged to adopt a detailed rulebook regarding the recognition of the languages spoken in their territory, in accordance with the procedures determined by the appropriate AU from the Ministry of Local Government Management. 34 municipalities which were surveyed municipalities have already adopted the municipal regulations for the recognition and use of languages. This points to significant progress, since the first assessment by the OSCE on the application of the Law on the Use of Languages. The Turkish language is still official in the Municipality of Prizren and Mamusha. In 2007 and 2008, the municipalities of Gjilan, South Mitrovica, Prishtina and Vushtrri (Vuçitrn) also recognized Turkish as an official language. Bosniak is the official language in the Municipality of Prizren, Dragash and Peja, as well as in official use in the Municipality of Istok. As of April 2014, no municipality has recognized Romani as a language in official use, although the Roma community in Kosovo traditionally speaks its language in the municipalities where they are settled, making it eligible for its recognition as such, based on Article 2.4 of the Law on the Use of Languages. The Bosnian and Turkish languages have the status of official languages in three and two municipalities, respectively, as well as languages in official use in one and four municipalities.

According to the Law on the use of official languages, municipalities are obliged to provide a translation from one official language to another, as well as from one official language to another language of the community, if requested. Also, in the same law it is required that "the records of the meetings and official records of the municipal representative and executive bodies, public registers and other official

documents, be kept and issued in all the official languages of the municipality." (Article 7.4).

To get a general picture of compliance with these provisions, the OSCE monitored how many municipalities committed to complying with the duty to provide translation during Municipal Assembly meetings, as well as the compliance of meeting materials with the Law on the Use of Languages and on the local government. According to the OSCE report, it was established that the functional equipment for simultaneous translation has been installed and is being used in 20 municipalities. In seven other municipalities, the equipment does not work or is not used, and in six municipalities there is no equipment for simultaneous translation. Translation departments do not have a separate budget and in some cases do not have adequate equipment or office space. According to the OSCE investigation, 22 municipalities have not allocated enough financial resources to enrich their capacity. There is no specialized higher education plan available in Kosovo for the training and certification of translation and interpretation specialists, language journalists and court interpreters.

Through continuous monitoring, the OSCE has found that, with a few omissions, municipalities comply with their legal obligations to provide interpretation during meetings of the Municipal Assembly, when required. But the care continues to be an integral part of the written translation of the minutes of the meetings, so that, since 2013, a total of 19 municipalities failed to offer regular written translation, despite their duty to do so, regardless of whether there is a request for translation or not.

Local names and topographical signs

Special provisions apply to local street names and other topographical signs, to ensure that they "reflect and are sensitive to the poly-ethnic and poly-linguistic character of the said zone". The Law on the Use of Languages specifies that topographic signs, "official signs indicating or including the names of municipalities, villages, streets, paths and other public places", should be placed in all official languages of the municipality. While in practice it is usual for them to be set in the

language of the majority community before the other official language(s), this seems to be unregulated by law now.

In 17 different municipalities, the OSCE conducted interviews with members of non-minority communities, who described their positive experiences and difficulties they encountered when using their mother tongue in relation to municipal authorities. With the help of the survey, the question of the perception of safety in relation to the movement and the use of the mother tongue in public places, where the majority of the population lives, was investigated. 28% of respondents faced problems receiving services in their respective languages. They belong to the Serbian, Turkish, Roma and Bosniak communities in Kosovo. 40% of respondents reported difficulties in receiving written documents in their language. They belong to the Serbian, Turkish, Roma, Bosniak and Croat communities in Kosovo.

3.8.4 Use of language in media

Article 25 and 26 of the Law on the Use of Languages ensures that every person has the right to establish a medium in the language of his choice, in accordance with the Law. Public broadcasters promote the cultural diversity and multilingual character of Kosovo, in accordance with the law. Communities have the right while broadcasting the programs to be in their language on the Public Broadcaster, according to the law in force, and the use of languages in the transmission of the Public Broadcaster, the time of transmission and programs are determined by another law, considering the rights and interests of the members of communities for equal access to information.

Kosovo's media landscape comprises two levels: national media with national coverage, as well as regional/local media with partial or specific coverage within the region or city.

According to the latest report of the Independent Media Commission (NMK), during 2019 a total of 19 TV stations, 86 radio stations, 41 distribution operators and 97 media audiovisual service providers (PMAVU) were active, offering their programs only through the distribution operators' network. According to the language, the

number of television and radio operators (Independent Media Commission report (2019), the numbers show that there are 13 TV stations in the Albanian language and 5 TV stations in the Serbian language. 86 radio stations are licensed, of which 2 radio stations are public broadcaster; 53 radio stations are in the Albanian language; 22 radio stations are in the Serbian language; 3 radio stations are in the Bosnian language; 2 radio stations are in the Turkish language; 2 radio stations are in the Goran language; 1 radio station is in the Romani language; 1 radio station is multi-ethnic. According to the report from the Distribution Operators (DO), 34 distribution operators with an Albanian owner are licensed; 1 distribution operator with a Bosniak owner; 1 distribution operator with a Goran owner; 5 distribution operators with a Serbian owner.

In - Radio and Television Kosovo RTK, comprehensive coverage of all recognized communities on the territory of Kosovo is foreseen, i.e. television and radio programs in Albanian, Serbian, Turkish, Bosniak and Roma languages. At the last statement of the director of the RTK board, he promised to appoint an editor to manage the news of the non-Serb communities that publish on the RTK website, with the responsibility of returning the news to the Turkish, Bosniak and Roma communities (Kosovo Radiotelevision, 2015).

The Municipality of Shtrepce has a multi-ethnic structure and is a special case in the successful application of the participation of local media from all ethnic communities and is made possible by RTV Hertz, a multi-ethnic media in the Municipality of Štrpce (Shtërpca). In fact, RTV Hertz produces and broadcasts a news program in two languages (Serbian and Albanian) for two hours and thirty minutes every day. The initiative to create such a media outlet came from the OSCE Mission, whose goal was to prepare local media personnel and promote a multi-ethnic program. Since December 2003 until August 2004, the Mission worked with this television station to implement a multi-ethnic media development project through a specialized newsroom with journalists and equipment. Hertz TV's aim is to bring to light the most important local events for all communities of Štrpce (Shtërpca). This successful model of inter-ethnic cooperation realized through Hertz TV is significant not only for the residents of Štrpce

(Shtërpca), but also for the whole of Kosovo and for the various communities that live in it.

3.8.5 Use of language in cultural activities and facilities

Article 28 of the Law on the Use of Languages guarantees that all persons have the right to establish and maintain a legal entity such as cultural associations and business enterprises in their language, including here the representation of these names based on their tradition and linguistic system. The Constitution stipulates that the communities and the participants belonging to them should have the right to express themselves, preserve and develop their culture and preserve the main elements of their identity, that is... their language. offers simultaneous interpretation in the two official languages of the meeting, if requested, but so far no one has requested a translation in any language other than Serbian.

Article 5 of the Law on the Protection and Promotion of the Rights of Communities and Their Members in the Republic of Kosovo stipulates that communities and their members enjoy the right to express, nurture and develop their culture and traditions and to manage their cultural affairs in their native language. Communities have the right to establish cultural, artistic, scientific, and educational and other associations for the expression, reinforcement and development of their identity, enjoy the right to maintain free and peaceful contacts with persons from any country, especially with those with whom they share the same ethnic group, cultural, linguistic or religious identity or a common cultural heritage, according to the Law and international standards. To strengthen cooperation, the Republic of Kosovo concludes a bilateral, multilateral, regional and sub-regional agreement with other countries to encourage and strengthen cultural, linguistic, educational and other forms of cross-border cooperation. The capacity to fulfill such a function and to provide them with funding in relation to that purpose, in accordance with international law and standards.

3.8.6 Use of language in economic and social life

The Central Bank of Kosovo (CBK) reported that there is a total of 166 state advisers, but their number is not divided according to affiliation by community, and therefore there is no data on the number of state employees who are able to work in official and non-official languages (Government of the Republic Kosovo, 2011). However, CBK stated in the Language Policies study that the Albanian language remains the most used language within the institutions. According to the CCB, civil servants have not received special training for their duties related to the use of languages. CCB indicated that it has only one language assistant and regularly uses private translation companies. As a rule, CCB reported that requests are received and responded to in the language used by the party in their initial communication. However, the official form is only available in Albanian, Serbian, and English. At official meetings, she provides simultaneous interpretation in official and non-official languages, if requested. The CBK indicated that it is aware of the official languages and their respective scripts, but rarely uses the Cyrillic script. CBK has accepted that all documents are maintained and issued in both official languages and in English. This enabled all public information, including notices, news, and vacancies, etc., to be available in both official languages. The official website of CBK is available in Albanian, Serbian, and English. The signs of the building in the surrounding environment of CCB are displayed in both official languages and in English. Finally, the official CBK logo is in Albanian, Serbian, and English and each language is displayed vertically, with the same size and font (Government of the Republic of Kosovo, 2011).

Article 9 of the Law on Protection and Promotion of the Rights of Communities and Their Members in the Republic of Kosovo provides regulations for economic and social opportunities. They emphasize that communities and their members enjoy the right to their property and the opportunity to work with fair and equal compensation, without discrimination. The Republic of Kosovo, in addition to measures with a special purpose, develops programs and other initiatives for public employment, which aim to overcome direct or indirect discrimination against persons belonging to the speakers of

non-official languages in the country. Special attention is paid to improving the situation of the Roma, Ashkali and Egyptian communities. The planning, development, application, and evaluation of the special mechanisms for adding opportunities for economic development and employment of the endangered groups within the society is done with the participation and full consultation of the organizations and municipal representatives of the communities. Persons belonging to communities whose mother tongue is one of their non-official languages have the right to equal representation in employment at all levels in public enterprises, public institutions, including the security sector, the judiciary, the prosecutor's office, government agencies relating to law enforcement and correctional services, protection, security and intelligence. If these groups of community's encounter difficulties in meeting the standards for receiving public service announcements, especially the main announcements, special measures are taken. Persons belonging to the communities will have equal opportunities in the processes related to the public prosecution or the privatization of public property.

The Ministry of Labor and Social Welfare (Government of the Republic of Kosovo, 2011) reported that every citizen can communicate, request, and receive information in both official languages. In the case of receiving a request in a non-official language, the ministry declares that it corresponds to the language used by the party in their initial communication. However, the application forms are only available in Albanian, Serbian, and English. Except in the municipalities where, for example, Turkish and Bosniak are official languages, MTSB states that it will not provide an official form of the same languages (Government of the Republic of Kosovo, 2011).

All laws and by-laws of (MTSB) are available in both official languages and in English, MTSB also reported that all information is available to the public, including notices, news, vacancies, etc., in both official languages. All signs on MTSB buildings and doors are in both official languages and in English, but the official languages are not always highlighted equally on the MTSB logo. However, in most posts, the three language versions are displayed at the same size and font, either vertically or horizontally.

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3.9 The case of Luxembourg

The sociolinguistic setting in Luxembourg is comparably complex (Purschke, 2020). It has developed because of an unpredictable historical development and relations with neighboring cultures especially France and Germany. The country has three official languages, the national language Luxembourgish, and French and German as administrative languages. Luxembourgish multilingualism is also characterized by strong minority languages (Portuguese, Italian) and an increasing presence of English. The socio-economic migration and the country's specialization in the private financial industry, as well as the presence of several European institutions play an important role in the emergence and dynamism of the current language regime. With a total population of 613,000, the Grand Duchy has a very high proportion of foreign residents of 47.5%. In addition, there are 192,000 cross-border commuters coming in from Germany, France, and Belgium every day (STATEC, 2019).

While Luxembourgish language is increasingly present in all social domains, the role of the German language as a bridge language is clearly decreasing. At the same time, the importance of the French language is increasing, above all because of the high proportion of foreign employees in the private sector. Additionally, the social presence of English is increasing due to its growing importance for tourism, economy, and pop culture. Although the French language traditionally plays the role of a cultural prestige language, the young generation in particular shows a clear preference for English (and indirectly German due to its close relationship with Luxembourgish). After a referendum on the right to vote for foreigners in 2015 (de Jonge ad Petry, 2021) and an increasing politicization of language in public discourse and political action, the discussion about the languages of the country has developed into a "replacement discourse" (Purschke, 2020). In this context, as Purschke (2020) points out, languages serve as a proxy for societal disputes, for example, the demographic development, rising living costs, and democratic legitimation of politics.

General language policy is regulated in Luxembourg by law. In the language law of the 24th of February 1984, the first article declares that the national language of Luxembourgers is Luxembourgish, although that doesn't mean that everybody who has a Luxembourgish passport can speak or write very good Luxembourgish. Article 2, on the language of legislation, specifies that legislative acts and their executive regulations are written in French. When the legislative and regulatory acts are accompanied by a translation, only the French text is authentic. Articles 3 and 4 deal with administrative and judicial languages. Administrative and contentious or non-contentious judicial matters can use Luxembourgish, German, or French, subject to special provisions on certain matters. Article 4 also states that should a citizen submit any formal application in Luxembourgish, French or German, the administration should wherever possible, use for its response the language chosen by the applicant. The answers should be within the bounds of possibility (see Service Central de Legislation 2015) (Ouardalitou, 2016).

In a 2018 study conducted by the Ministry of National Education, it was revealed that 98% of the Luxembourg population speaks French, 80% speaks English, 78% speaks German, while Luxembourgish language is used by 77% of the population (Government of the Grand Duchy of Luxembourg, 2021). Language use and the social embedding of the different languages in Luxembourg are organized on a domain-specific basis. For example, French serves as the language of legislation and jurisdiction, but debates in Parliament take place in Luxembourgish (Henckes, n/a). The print media are traditionally dominated by German (and to a limited extent French), while radio and national television broadcast largely in Luxembourgish. German is the language of alphabetization, but the school system is also designed to promote multilingualism, with a strong copresence of French. Luxembourgish is the language of everyday communication among Luxembourgers (Purschke, 2020).

3.9.1 Use of language in education

The Luxembourgish school system has always been to a certain extent bilingual (Kirsch and Seele, 2022). The Education Act of 1843 called for the use of standard German and French, with the aim of promoting elite bilingualism. However, French was little taught mainly on account of the lack of qualified bilingual teachers. German, therefore, became the dominant language. It was both the language of alphabetization and instruction. The Education Act in 1881 made schooling compulsory for 6- to 12-year-olds and introduced French as a subject from Year 2. The end of the 19th century saw a rise of Luxembourgish nationalism partly due to the immigration wave to the steel industry. This led to an emphasis on Luxembourgish, mirrored in the Education Act of 1912: Luxembourgish was introduced as a school subject, but Luxembourgish was not yet officially recognized as a language. This situation had changed almost 100 years later, when the Primary Education Act of 2009 construed Luxembourgish as the language of integration. Luxembourgish was expected to contribute to school success and social cohesion. It became the principal language of communication during compulsory preschool for four- to six-year-olds and became the language of instruction in non-academic subjects. German remained the language of alphabetisation and the language of instruction in academic subjects. Oral French remained a curriculum subject in Year 2 while children became literate in French in Year 3. Still today, French gradually replaces German as the medium of instruction in most streams of secondary schooling (Kirsch and Seele, 2022).

Children become familiarized with Luxembourgish not only at home, but also through early-schooling programmes. Socialization comes later, in primary school, where they learn to read and write in German. Education in French starts with the second year of primary school. Luxembourgish is also taught, but in a less formal manner. English can be added as a fourth language, but only at secondary level. Furthermore, most secondary schools also offer Italian, Spanish, and sometimes Russian. This collective and institutionalized multilingualism, actively promoted by school education, may be considered as one of the reasons for the stability and constancy of

Luxembourgish society, which is a society unfroneted by xenophobia, social conflicts, and social exclusion, despite the high percentage of foreigners (G. Berg, 2008).

While German is the main language of instruction in elementary school and lower secondary education, most subjects in higher secondary education are taught in French. The diversity of languages presents difficulties for all students, but especially for immigrant children who speak yet another language at home. At the University of Luxembourg, teaching occurs in English, French and German. The second important theme in Luxembourgish education involves international focus. At all levels, around 50% of pupils are foreign nationals. In many cases, these children do not have one of Luxembourg's languages as their mother tongue, which increases the number of languages these students must learn to at least four (Wolfensberger, 2015).

According to legislation (the new Children and Youth Act of 2017 and changes to the Primary Education Act) teachers and caregivers are required to develop children's skills in Luxembourgish, familiarise them with French and value their home languages. To ensure continuity in primary school, oral French is introduced as a school subject in Year 1 alongside German and home languages have a small space in the one-hour language awareness course in primary school. Italian and Portuguese-speaking children can attend 'integrated classes', offered by some municipalities, where they can learn science in their home languages. In general, children of migrant background, whose families wish to further develop home languages, attend a community school. These classes exist in Portuguese, Italian, Greek, Russian, Japanese and Dutch, to mention a few. They operate out of state-school hours and cater mainly for children from the age of six. An exception is the Russian community school which also takes preschool children. Furthermore, there are several private and international schools with preschool classes, which differ from the language regime of the state schools (Kirsch and Seele, 2022).

3.9.2 Use of language in judiciary

French is the favored language in administrative setting. Judgments and letters are in French (more of a tradition), but evidence can be in the three official languages: French, Ge – Lu. The use of French, German or Luxembourgish is allowed and does not pose any problem (Government of the Grand Duchy of Luxembourg, 2020a). The lawyer can plead in all three official languages. If the opposing party doesn't understand, they need to find an official translator in their language. Mostly French or Luxembourgish, German is rare. In practice, the judges and prosecutors often take in their text's quotations from the police report, which is usually written in German. This is the case especially in penal cases. The guilty party always gets a translator to defend himself if he can't speak any of the three official languages. An appeal can be requested in every language of the country. Nowadays, although the spoken language and the speeches in Parliament are in Luxembourgish, the written texts are in French. Also, it is worth pointing out that the homepage of the Luxembourgish government is only in French (Ouardalitou, 2016).

All the Luxembourg's three official languages may be used in the country's courts and tribunals. No one of the three languages takes precedence over any other. In practice, discussions and hearings are usually conducted in French and/or Luxembourgish. The use of German is less common. This is a matter of a usage and not a legal obligation. On the one hand, because many lawyers today are French-speaking and, on the other hand, because Luxembourg laws and legal deeds (the writings of lawyers, court rulings, etc.) are written in French. The use of any of the other official languages is however possible. In criminal matters, the decisions handed down by judges often repeat citations from reports by the Grand-Ducal Police that are generally written in German. In practice, as the judges and the lawyers are generally also competent in English, documents in English may be submitted without translation and the use of English is accepted before the commercial chambers of the courts (European Commission, 2021).

According to law, all lawyers and trainee lawyers registered with the Luxembourg or Diekirch bar to master the three administrative languages of the Grand Duchy. This is also true for judges, who are required to demonstrate adequate knowledge of these three languages prior to their first appointment (Government of the Grand Duchy of Luxembourg, 2020a). Challenges could take place when individuals appear before judges and do not master any of these three languages of the country. In this case a sworn interpreter must be called to the hearing. The rules described above also apply for any materials written in a language other than French, German, or Luxembourgish: if a party wishes to rely on such documents, they must provide the judge and the opposing party with copies of the documents, together with their translations (European Commission, 2021).

3.9.3 Use of language in public sector

Traditional triglossia still dominates in the public administration of the country. In most official state bodies posts depend on the ability to speak and write the three languages, Luxembourgish, French and German. Native Luxembourgers use only Luxembourgish for oral communication, as this is their mother tongue. The last three decades have additionally seen the development of a strong tendency to use Luxembourgish also in written communication, instead of French or German. Government bodies, retail-banking institutions, insurance companies, and other service-providers use French or German as their written languages, as well as sometimes Luxembourgish, depending on the wishes of the customer, whereas oral communication normally takes place in Luxembourgish (Berg, 2008).

3.9.4 Use of language in media

According to a study carried out, Luxembourg is one of the countries in Europe where legislation which safeguards regional and local media is effective (Brogi et al, 2016: 40). The legal provisions are limited to the Law of 1991 on electronic media, recognizing the

existence of a "local radio service". The press in the country is in various languages. According to a report published (Anastasiou, 2022: 5) there are 14 newspapers in Luxembourg, 10 of which are in German, 1 in French, 1 in Portuguese, and 2 bilinguals (German & French); all newspapers have digital versions. RTL Télé Lëtzebuerg¹² is the main television channel in Luxembourg, broadcasting in Luxembourgish; it is part of the RTL Group. Official governmental websites are mainly in Luxembourgish and include rules and regulations, news, information about the ministries, departments, topics, and political system. As regards to the social media and the presence of languages, tweets, for example, of the government of Luxembourg are written in Luxembourgish, however when tweets are related with affairs in the EU domain, they are written in English.

3.9.5 Use of language in cultural activities and facilities

At the central level, the Ministry of Culture deals with cultural activities and programmes, as well as cultural international cooperation and promotion of cultural policies (among others). On the other hand, the Ministry of National Education, Children and Youth is also responsible for cultural activities in specific for promotion of the Luxembourgish language, organization of activities in that language and in relation to the Luxembourgish heritage. At a local level (local self-government level), the municipalities are responsible for promotion and protection of their own cultural heritage (CoR, n/a).

To promote the Luxembourgish language the government has implemented a strategy with objectives that are directly linked with the promotion of the language, heritage and culture. The government has taken a series of initiatives targeting different audiences to reinforce the role of Luxembourgish in Luxembourg society, always in a multilingual context. For this specific role it has been emphasized to establish a specific post of a Luxembourgish language commissioner which will coordinate all the activities in this sphere (Ministry of Culture, 2019). It has hardly been identified a strict line between the use of particular language in cultural activities in the country, since the multicultural culture is firmly embedded.

The multilingualism characteristic of Luxembourg has enabled integration of many immigrants in the past years however it also serves as a vector for social cohesion (Government of the Grand Duchy of Luxembourg, 2020b). On another point, Luxembourg is also a “capital” of European culture. It is worth pointing out that the Translation Center for the Bodies of the European Union and the Publication Office of the European Union are in Luxembourg.

3.9.6 Use of language in economic and social life

The use of more languages has been proven to boost the economy of the country (the case of Switzerland for example but also can be considered for Luxembourg as well). Research carried out suggests that multilinguism of enterprises affect the export performance in a positive way (Habib, 2011). Luxembourg's economic diversity is strongly encouraged by the government and is accompanied by an active multilingualism embedded in a complex social context (Berg, 2008). Luxembourgish, German and French are used for different purposes. In work-related situations, depends on the origin of the company (for example, if the company is German, the working-language will more than likely be German). The English language is highly present in institutions within the EU. Considering that there is a Portuguese community present in the country, the Portuguese language is also used and can be heard in many workplaces (Paternoster, 2021).

Small and medium enterprises by contrast, whose customers are often residents, prefer the traditional languages of the country. Language-choice in a precise economic language contact environment depends to a large extent on the type of contact and interaction inside the enterprise or institution, as well as between these and their customers. If the owner of the enterprise is a native Luxembourger, French, Belgian, or Portuguese, then internal correspondence and correspondence with his customers will be in French. The oral languages will most likely be French and Luxembourgish. If the owner is German, internal correspondence and correspondence with customers will probably be in German. Spoken languages will be

German, Luxembourgish and French. In hotels, restaurants and pubs, the most used language is French. French, German, and Belgian supermarket retailers in Luxembourg behave as though the country is simply French-German bilingual. Product information in shops is in French, or in French and German. This is true also of advertising. Despite some criticism, the government has never seen any need for language regulation in economic affairs. No official language-regulation exists, nor are there any guidelines as to language-use, or any compulsory legislation. There are no prescriptions or codes of conduct concerning the use of one or more languages, neither for the internal management of an enterprise, nor for any external contacts with other economic operators, or with customers. The Luxembourgish triglossia model proves instead to be highly beneficial to Luxembourgish, which is the young national language of the Grand Duchy. Today Luxembourgish is as vital and productive as it was never – despite, or rather thanks, to the multilingualism that surrounds it (Berg, 2008).

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3.10 The case of Slovenia

Slovenia is a small country in Central Europe, but contains within its borders, Alpine mountains, thick forests, historic cities, and a short Adriatic coastline. Slovenia was the first former Yugoslav republic to join the European Union, in May 2004, shortly after joining NATO. The Slovenian language (hereinafter: Slovenian) is the official language of the Republic of Slovenia. The Slovene language is the language of oral and written communication in all spheres of public life in the Republic of Slovenia.

The historical background, political changes, migration processes, EU membership and the current socio-linguistic situation have all influenced language policy and language planning in Slovenia. The Italian and Hungarian are considered official languages in accordance with the Constitution of Slovenia.

The Croatian, Serbian and German language in Slovenia have been included in national language policy programmes, through measures to preserve, develop and promote the languages and cultures of minority communities within the framework of language education and infrastructure (CoE, 2021:3; 5).

The Romani language and its use are currently under effort to be introduced in primary schools as a teaching language. There is a National Programme of Measures for Roma for the 2021-2030 Period which foresees the introduction of Romani classes into primary schools (CoE, 2021: 9).

Slovenia has adopted in its Constitution a national legislation with specific regulations granting cultural autonomy to all their minorities. Although there is no officially adopted legal definition of the notion of 'cultural autonomy', a working one reproduced by several scholars describes it "as the right to self-rule, by a culturally defined group, regarding matters which affect the maintenance and reproduction of its culture (Yupsanis, 2019). The autonomy cultural groups are granted with exclusive governmental rights over the issues of minority education, culture, use of minority language and other matters. The core features of the cultural autonomy model are: a) the

right of individuals to ethnic self-identification upon voting age (personality principle), b) the establishment of a special minority register in which the self-proclaimed members voluntarily enter their names and which are then used as a basis for electing the cultural councils, c) the election and establishment of minority cultural councils and cultural self-governments, d) the organization and recognition of the aforementioned institutions as non-territorial public law corporations endowed with collective rights and segmental sovereignty over the minority cultural affairs, e) the entitlement of the cultural autonomy bodies with legislative powers in their field of their responsibility as well as with tax-raising capabilities over their members for the backing of the cultural institutions and services, and f) the provision for state funding for the sustainability of the cultural autonomy regimes (Yupsanis, 2019).

In Article 64 of the Constitution which defines the Rights of the Autochthonous Italian and Hungarian National Communities in Slovenia, it is foreseen that the autochthonous Italian and Hungarian national communities and their members shall be guaranteed the right to use their national symbols freely and, in order to preserve their national identity, the right to establish organisations and develop economic, cultural, scientific, and research activities, as well as activities in the field of public media and publishing. In accordance with laws, these two national communities and their members have the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling. These national communities and their members are guaranteed the right to foster relations with their nations of origin and their respective countries. The state provides material and moral support for the exercise of these rights. To exercise their rights, the members of these communities shall establish their own self-governing communities in the geographic areas where they live. On the proposal of these self-governing national communities, the state may authorize them to perform certain functions under national jurisdiction and shall provide funds for the performing of such functions. The two national communities shall be directly represented in representative bodies of local self-government and in the National Assembly. The position of

the Italian and Hungarian national communities and the manner in which their rights are exercised in the geographic areas where they live, the obligations of the self-governing local communities for the exercise of these rights, and those rights which the members of these national communities' exercise also outside these areas, shall all be regulated by law. The rights of both national communities and their members are guaranteed irrespective of the number of members of these communities. Laws, regulations, and other general acts that concern the exercise of the constitutionally provided rights and the position of the national communities exclusively, may not be adopted without the consent of representatives of these national communities (Kolláth, Gasparics, Gróf, Horvat, 2010).

Self-governing ethnic communities

The establishment of self-governing ethnic communities — the central political institutions of the ethnic communities — was enacted by the Constitution (paragraph 2 of Article 64). Based on that provision, the special Law on self-governing Ethnic Communities was adopted. That Law defines the purposes and duties of the self-governing communities, the manner, and procedures for the realisation of these duties, the organisation of the self-governing communities, their relationship to the bodies of local self-government (municipalities), the relationship with state bodies and finally their financing. Of course, the formation of the self-governing ethnic communities does not mean that members of the ethnic communities have no opportunities for the establishment of other organisations to express their political affinities and will, or to protect and promote their ethnic identity. However, if such organisations are created, they cannot replace the self-governing ethnic communities in their role. The self-governing ethnic communities remain, based on the constitutional provisions and the appropriate laws, the only legal partner in the dialogue between the ethnic minorities and the State. Self-governing ethnic communities have been established in every municipality inhabited by the members of the autochthonous ethnic minorities. The municipal self-governing ethnic communities have then established the national self-governing ethnic communities: one for the Italian and

one for the Hungarian ethnic minority. These communities are the central partners in the relationship between the national minorities and the State. In accordance with the law, the self-governing ethnic communities present to the National Assembly, the government and other state agencies suggestions, initiatives and opinions on all matters that are under the jurisdiction of the self-governing ethnic communities. The provision of the law stating that all State agencies must, when deciding on matters concerning the position of the members of the ethnic minorities, consult beforehand the self-governing ethnic communities is very important (Komac 2002).

Legal framework

In the Constitution (Constitution, Official Gazette of the Republic of Slovenia Nos. 33/91-I, 42/97, 66/2000, 24/03, 69/04, 68/06, and 47/13), Article 11, it is stated that the official language in Slovenia is Slovene; the same article further explains that in those municipalities where Italian or Hungarian national communities reside, Italian or Hungarian are also official languages. The Article 64 of the Constitution also stipulates that in its territory, “the autochthonous Italian and Hungarian national communities and their members are guaranteed the right to use their national symbols freely and, in order to preserve their national identity, the right to establish organisations and develop economic, cultural, scientific, and research activities, as well as activities in the field of public media and publishing. It is constitutionally guaranteed in this article that these two communities have the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling. The Constitution states that the exact geographic areas in which bilingual schools are compulsory is determined by law.

Act on Public Usage of Slovenian Language (Official Gazette of the Republic of Slovenia, no. 86/2004, page 10418) grants the right of using mother languages in the territory of municipalities where the Italian or the Hungarian national community lives. In these, the public usage of Italian or Hungarian as official languages shall be guaranteed in the manner as regulated by this Act for the public usage of Slovenian

and in accordance with the provisions of individual sector-specific acts.

The Law on Local Self-government (Official Gazette of the Republic of Slovenia, no. 72/93, 57/94, 14/95, 26/97, 70/97, 10/98, 74/98, 70/00 Decision of the Constitutional Court: Official Gazette of the Republic of Slovenia, no.6/94, 45/94, 20/95, 73/95, 9/96, 39/96, 44/96, 59/99) guarantees that in territories inhabited by members of Hungarian and Italian ethnic communities, municipalities shall be formed that give effect to the special rights of ethnic communities.

Basic School Act (Zakon o osnovni šoli (Uradni list RS, št. 81/06 – uradno prečiščeno besedilo, 102/07, 107/10, 87/11, 40/12 – ZUJF, 63/13 in 46/16) guarantees that all citizens have the right to develop literacy and the ability to understand and communicate in the Slovenian language, and in areas defined as ethnically mixed the same applies for the Italian and Hungarian language.

Secondary School Act (Zakon o gimnazijah (Uradni list RS, št. 1/07 – uradno prečiščeno besedilo, 68/17, 6/18 – ZIO-1 in 46/19) This law regulates education in general and vocational high schools, which enables passed exams continuing education in higher education. Vocational high schools offer, in addition to general ones, professional optional matriculation exams objects.

The Law on Administration (Zakon o državni upravi (uradno prečiščeno besedilo) (ZDU-1-UPB2),2004) in art. 4 regulated the official language use in the Slovene administration. It specifies that in the areas of the municipalities where the indigenous Italian or Hungarian national communities live, the official language in the administration is also Italian or Hungarian.

3.10.1 Use of language in education

The educational system in Slovenia provided by the country-wide curriculum, foresees that the official language in use from pre-school through to university level, must be in Slovenian. In the ethnically mixed regions of Prekmurje and Slovene Istria, the Hungarian and Italian languages enjoy equal status with the Slovene language in the educational system.

Primary education

The official language of instruction in elementary schools in the whole territory of Slovenia is the Slovenian language and the official languages of instruction in elementary schools in the cultural group in Istria region is Italian. In Prekmurje where the two-tire model is adapted, the elementary schools use both Slovenian and Hungarian as official languages. The elementary schools located in areas populated by Slovenians and members of the Italian minority that are defined as ethnically mixed areas, pupils in schools providing instruction in Slovenian also learn Italian, and pupils in schools providing instruction in Italian also learn Slovenian. There is also one international primary school, namely the Danile Kumar International School which was founded in 1993 to provide international education to foreign children. The language of instruction is English. Apart from this school, some other international schools are operating in Slovenia where the language of instruction in these schools is not Slovenian.

Secondary education

The official language of instruction in secondary schools in the entire territory of Slovenia is the Slovenian language. The official language of instruction in secondary schools providing instruction in the languages of the cultural groups is Italian language for the Istria region and Slovenian and Hungarian in the Prekmurje region. In secondary schools where the population is of a mixed ethnic background, namely a mix of Slovenians and Italians, students are instructed in Slovenian but also learn Italian, and students in schools providing instruction in Italian also learn Slovenian (High School Act, Uradni list RS, št. 1/07 – uradno prečiščeno besedilo, 68/17, 6/18 – ZIO-1 in 46/19).

The official language of instruction in vocational and/or technical upper secondary education countrywide is Slovenian. In the bilingual region of Istria, the official language of instruction in vocational and technical upper secondary schools is Italian and in two-tier model, the vocational and technical upper secondary schools the official language is Slovenian and Hungarian. In vocational and technical upper secondary schools in areas populated by Slovenians and members of the Italian national community and defined as ethnically mixed areas apprentices and students in vocational and technical upper secondary schools providing instruction in Slovenian also learn Italian, and apprentices and students in vocational and technical upper secondary schools providing instruction in Italian also learn Slovenian (Act No. 568 of 6 February 1996 on vocational and specialized education)(ILO, n/a).

Notwithstanding the first paragraph of Article 8 of the High School Act and in agreement with the minister responsible for education, a part of the education programme that features an acknowledged foreign expert or visiting teacher is carried out in a foreign language, which also applies to international exchanges. If a visiting teacher carries out educational work independently, this must not encompass more than a third of the planned hours of the subject. In this event, the school must also ensure that students have a command of Slovenian technical terms, while Slovenian as a language of instruction must be used in the assessment process. The programme of preparation for the international matura may be carried out in a foreign language. A school for foreigners may carry out the educational programme of the gimnazija in a foreign language. A school must offer the option of choosing the Slovenian language as a subject (European Federation of National Institutions for Languages 2021).

University level

The official language of instruction, at university level, in the whole territory is the Slovenian language. Higher education institutions are responsible for the development of the Slovenian language as a professional or scientific language. For the foreigners and Slovenians that have no Slovenian citizenship an option for learning the Slovenian

language is provided. Higher education institutions may also carry out study programmes or parts of them in a foreign language, under the conditions, laid down by the Higher Education Act. In cases where the higher education institution is a public service, foreign language subjects can be delivered in a foreign language if the guest professors are from abroad or a large number of foreign students are enrolled but same programmes shall also offered in the Slovenian language (European Federation of National Institutions for Languages 2021).

3.10.2 Use of language in judiciary

The use of the languages of the national communities in the operation of judicial authorities in Slovenia is clear from the Court Act which in Article 5 stipulates that “in the areas in which the autochthonous Italian and Hungarian national communities live, the business of the court shall also be conducted in the Italian or Hungarian language if a party who lives on that territory uses the Italian or Hungarian language”. Article 62 provides that if the proceedings are conducted only in the Italian or Hungarian language, or if bilingual proceedings are conducted, the court communicates, during the proceedings, with parties to and others involved in the proceedings, in their mother tongue. The provisions on the use of the ethnic minority language may also be found in the Law on Legal Proceedings, the Law on the Changes of the Law on Notary, Law on the Office of Public Prosecutor, and the Criminal Procedure Act (Ministry of Interior, 2007). The provisions on the operation of the judiciary in the ethnically mixed areas are regulated by the Court Rules in Chapter 5, entitled «Operation of the Courts in areas where the autochthonous Italian and Hungarian ethnic communities reside». In accordance with those provisions, the courts are obliged to guarantee the equality of the Italian and Hungarian languages in ethnically mixed areas, if the party who lives in this area uses the Italian or Hungarian language (Komac, 2002).

Besides national legislation on judicial rights of the national communities, The European Charter refers to the judicial authorities' rights as well. Slovenia has bound itself to implement the provisions, stating that it shall, for the districts where the number of national or

minority languages the courts in criminal proceedings provide at the request of one of the parties; conduct the proceedings in the regional or minority languages, guarantee the accused the right to use his/her regional or minority language; provide that requests and evidence, whether written or oral shall not be considered inadmissible solely because they are formulated in a regional or minority language; produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned (European Charter for Regional or Minority Languages, Article 9, 1st paragraph, a (i, ii, iii, iv)).

It is interesting that Slovenia has not bound itself to translate into regional or minority languages the most important internal legal regulations and those, which apply directly to these languages' users. Although it is true that many regulations of local communities are also published in the national communities' languages (mostly in Italian), scholars commented that it might be reasonable to consider systematically translating legal provisions that refer specifically to the minority communities' members into the minority languages (Komac, 2004).

3.10.3 Use of language in public sector

According to law (Law on administration, Art. 4) in the areas of the municipalities where the indigenous Italian or Hungarian national communities live, the official language in the administration is also Italian or Hungarian. In these areas, the administration conducts business, conducts proceedings, issues legal, and other acts in the language of the national community, if the party belonging to the Italian or Hungarian national community uses the Italian or Hungarian language.

When the administrative authority conducts the proceedings in Italian or Hungarian at first instance, the second instance act must also be issued in the same language. The use of language in public administration refers to the right of the minority members to use their

own language, in oral or written form, when dealing with administrative agencies, judicial powers and other institutions of a public character and to receive answers in the minority language. The recognition of the minority language as an official language is of great importance for every minority community. The very first act and most important that guarantees the rights of national minorities to use their language is guaranteed by the Article 11 of the Slovenian Constitution.

The right to use the minority languages in the administration is also guaranteed for the deputies of the minorities to use their language in the National Assembly. In accordance with the Standing Orders of the National Assembly (Article 5, par.2), the deputies of the ethnic minorities have the right to submit in oral and written form proposals, initiatives and other submissions in the Italian or Hungarian languages. The speeches and applications shall be translated into the Slovene language" (Standing Orders of the NA. Official Gazette of the Republic of Slovenia, 40/93, Article 5/2.). A similar stipulation applies also to the minutes of the meetings of the National Assembly stating that" Debates of deputies of the Italian and Hungarian ethnic communities in the Italian or Hungarian language shall be recorded in the minutes of the meeting in their respective language together with the Slovenian translation" (Standing Orders of the NA. Official Gazette of the Republic of Slovenia, 40/93, Article 321/2.) The Standing Order of the National Assembly guarantees that the use of the ethnic minority languages by the elected deputies in the municipal councils, committees and boards can be found in all municipal statutes or standing orders of the municipal councils in ethnically mixed municipalities. Provisions on the use of ethnic community languages in the above-mentioned areas may be also found in all municipal statutes and/or standing orders of municipal councils and in appropriate municipal decrees. However, in some nationally mixed municipalities special instructions regarding the use of minority languages have been adopted. Having a municipality that operate on a bilingual level requires additional financial resources, which shall be provided by the state budget, but a constant lack of financial support has been detected from the survey response of the administration of nationally-mixed municipalities, stating that the state budget does not

provide enough funding necessary to conduct bilingual operations in municipal administrations.

3.10.4 Use of language in media

Slovenia is obligated to fulfil Article 11 of the European Charter which states that the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, parties are obliged to carry out a public service mission and to ensure the creation of at least one radio station and one television channel in the regional or minority languages and to encourage or facilitate the creation or maintenance of at least one newspaper in the regional or minority languages. (European Charter for Regional or Minority Languages, Article 11, 1st paragraph, a (i), e (i)). In continuation of the Article 11, the second paragraphs states that Slovenia is obligated to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose radio and television broadcasts from neighbouring countries in such a language.

In the Mass Media Act (Official Gazette of the Republic of Slovenia No. 35/2001) Slovenia bounds to support the media in disseminating the information important «for exercising the right to public information of the citizens of the Republic of Slovenia, of the Slovene population worldwide, of the members of the Slovene national minority in Italy, Austria and Hungary, of the Italian and Hungarian national communities in Slovenia and of the Romany community living in Slovenia (Slovenian Government 2001, Article 4) (CoE, 2017). The law further stipulates that Slovene should be the language of broadcasting; if the programme is dedicated to the Hungarian or Italian ethnic communities the programme can be broadcasted in the language of the ethnic community”. A similar solution is determined for public advertisements. Such communications are published in the Slovenian language, except in the case when the advertisements are published by the media of the Italian or Hungarian ethnic communities. In the Law on Media, further stipulations concerning the Italian and

Hungarian national communities can be found in the section entitled «Slovene audiovisual production», where it is stated that "material that is originally produced in the Slovene language, material that is designed for the Italian or Hungarian national communities in their languages and materials of Slovene cultural origin in other fields of art constitute Slovene audiovisual production" (Art. 76).

Printed Media

Autochthonous minorities are guaranteed the publication of newspapers and magazines in their own languages. The Italian minority issues following print editions which are cofinanced by the state: 'Voce del popolo', 'Panorama', 'La Città', 'Il Mandracchio', 'Lassa pur dir', 'Il trillo'. Publications in Hungarian language 'Népújság', 'Naptár' and 'Muratai' are also backed financially from the budget. Roma community publishes a magazine 'Romano them', a magazine published by Roma community contains articles in the Slovenian and Romani languages (Petrisucic 2004).

Radio and TV Media

The field of radio and television activities, which are performed as a public service, is managed by the Law on Radio-Television Station Slovenia. The public service is defined by this law as the creation, preparation, and broadcasting of one radio or television programme for the Italian or Hungarian community. With the formation of this programme RTV ensures the exercise of the constitutional right of the Italian and Hungarian national communities in the field of public radio and television information, the linkage of the national communities with the kin-nation and the inclusion of cultural and other achievements of the Italian and Hungarian nations in the nationality programmes. This activity is ensured by RTV Slovenia. The ethnic minority programme must be receivable on at least 90% of the area inhabited by the members of the Italian and Hungarian national communities (Komac, 2002).

Members of the Italian and Hungarian minorities appoint representatives to the Council of RTV Slovenia. In the ethnically mixed region in Slovene Istria, where Slovenes live together with Italians, the Koper/Capodistria radio and television stations play a very important role. These are part of the public institution Radiotelevizija Slovenija but are independent in terms of management of programme policy and having a direct influence on the appointment of the directors and editors of the Koper/Capodistria stations. Radio Koper/Capodistria began to transmit programmes in Italian in 1945, and today it is on the air fourteen hours a day. Television Koper/Capodistria began operating in 1971 and its target audience are the members of the Italian ethnic community living in Slovenia and Croatia; it broadcasts more than eleven hours a day. Members of the Hungarian ethnic community can also listen to programmes in Hungarian broadcast by the regional studio for Hungarian programming, which operates as part of Radiotelevizija Slovenija.

The Italian and Hungarian ethnic communities have also organised numerous cultural activities (folklore groups, choirs); the library activity is exceptionally diversified. A special role in the development of the ethnic community is played by the publishing activity, which covers the publication of informational journals, and other cultural magazines and monographs.

The national public broadcaster, RTV Slovenia, produces programs in Italian and Hungarian languages which are broadcasted by its regional centres Koper/Capodistria and Maribor.

3.10.5 Use of language in cultural activities and facilities

The State budget provides for supporting the learning, use and development of Slovenian and other languages (particularly Italian and Hungarian). This includes funds allocated to the Ministry of Culture, the Ministry of Education, Science and Sport and the Office for National Minorities. Local Government provide national minorities with the right to establish self-governing ethnic communities in the

areas, which they traditionally inhabit. Self-governing ethnic communities cooperate with bodies of self-governing local communities and state bodies and are entitled to submit proposals, initiatives, and opinions on matters regarding the status of ethnic communities to state bodies and to the to the National Council, a representative body for social, economic, professional, and local interests established by the Constitution (Art. 96). The field of cultural activities is defined in Article 12 of the European Charter and Slovenia is bound to respect the provisions of items a,d,e,f from the 1st paragraph and provisions of the 2nd and 3rd paragraphs stating that the country needs to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages; to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing; to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population; to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population (European Charter for Regional or Minority Languages, Article 12, 1st paragraph a,d,e,f).

The Hungarian self-governing ethnic community has founded the «Institute for the Culture of the Hungarian Ethnic Minority» with the purpose of promoting Hungarian culture. The Institute coordinates and directs the work of twenty-two cultural associations of the Hungarian minority. The cultural associations are active in many areas of the creative and the performing arts — from ethno-folkloric to original artistic achievements. The cultural production of the Hungarian ethnic community is often presented in Hungary. The central library in Slovene Istria procures book material in the Italian

language is the Central Library of Srečko Vilhar in Koper/Biblioteca centrale Srečko Vilhar Capodistria. The library has a department of Italian Studies. It carries out the activities connected with the acquisition and dissemination of materials in the Italian language for libraries in Slovene Istria and for the institutions and schools of the Italian minority in the bilingual area. Library material in the Italian language is also kept in the Piran City Library /Biblioteca Civica di Pirano) and the Izola Central Library /Biblioteca civica di Isola (Komac 2004).

3.10.6 Use of language in economic and social life

As stated in the report submitted by Slovenia to Council of Europe, pursuant to Article 25, paragraph 1, of the Framework convention for the protection of national minorities, members of the Italian and Hungarian national communities have, as do all other citizens, the right to establish their own organisations and associations. The Constitution of the Republic of Slovenia, however, anticipates that they may also organise their self-governing national communities in the areas, where they autochthonously live. According to the Law on self-governing national communities (The law on Self-governing National Communities, Official Gazette RS, no. 65/94) the self-governing national communities are defined as public legal persons, founded by members of the Italian and Hungarian national communities in the area they live on in order to be able to implement the special rights guaranteed to them by the Constitution, to assert their needs and interests and to take part in public affairs in an organised manner. They implement their tasks by promoting and organising cultural, research, informative, publishing and economic activities essential for the development of national communities, by establishing organisations and public institutions, by following and promoting development of education and schooling of members of national communities, by participating in planning and organising the educational work and preparing the educational programmes pursuant to law, by establishing contacts with their nation of origin, with members of ethnic communities in other states and with

international organisations. They are authorised to perform other tasks arising from their statutes (CoE, 2000: 56).

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3.11 The case of Spain

Spain is a parliamentary democracy, a constitutional monarchy with monarch as the head of state. It is a member of the European Union since 1999 (European Union, n/a). In Spain, as the only official and dominant language is the Spanish language; however, there are seven major regional languages spoken by 16% of the population: Catalan (8%), Valencian (4%), Galician (3%), Basque (1%), Aranese (0,007%), and Extremaduran (0,4%) (Luna, 2020).

Legal framework

The Spanish Constitution recognizes the different languages spoken on the territory of Spain as a cultural heritage (Art. 3, para.3). This Article stipulates that the official Spanish language is the Castilian and that all Spanish citizens have the duty to know it and the right to use it (Art. 1, par. 1). Since Spain internally has autonomous regional territories, the Constitution also recognizes other Spanish languages as official in the respective autonomous communities according to their statutes (Art. 3, para. 3).

The *Basque language* is recognized in the Basque Country (Article 6.1 of its Statute of Autonomy, approved by Organic Law 3/1979 of 18 December), and in the Basque-speaking zones of Navarre (Article 9.2 of Organic Law 13/1982 of 10 August, on the Enhancement of the Foral [special civil law] Regime of Navarre). The *Galician language* is recognized in Galicia (Article 5.1 of the Statute of Autonomy of Galicia, approved by Organic Law 1/1981 of 6 April). The *Valencian language* is recognized in the Valencian Community (Article 6.1 of the Statute of Autonomy of the Valencian Community, approved by Organic Law 5/1982 of 1 July). The *Catalan language* is recognized in Catalonia (article 6.1 of the Statute of Autonomy of Catalonia, approved by Organic Law 6/2006 of 19 July), and the Catalan language spoken in the Balearic Islands, in said islands (Article 4.1 of the Statute of Autonomy of the Balearic Islands, approved by Organic Law 1/2007 of 28 February). The *Occitan language*, called Aranese is recognized in the Aran Valley, in Catalonia (Article 6.5 of the Statute of Autonomy of Catalonia, approved by Organic Law 6/2006 of 19 July). The respective Statutes mentioned above declare said languages as official,

together with Castilian, and recognize the right to use them; it is worth noting that none of them imposes the duty to know them; said duty is reserved exclusively for Castilian in Article 3, para.1 of the Constitution (CoE, 2021).

Certain Autonomous Communities' Statutes of Autonomy refer to the existence of other languages (minority languages) in their territories, and they do not have the status of official languages; however, they are recognized and protected to different degrees, almost always limited to the specific territory in which they are spoken. In some Statutes these languages are mentioned expressly, and in others, reference is made to a generic linguistic plurality. For example, in Asturias the Asturian or Bable and Galician-Asturian, is mentioned in Article 4 of the Statute of Autonomy of Asturias, and Articles 1 and 2 of Act 1/1998 of 23 March, on the use and promotion of Bable/Asturian. In Aragon, the Catalan and Aragonese are mentioned in Article 7 of the Statute of Autonomy of Aragon, and Act 3/2013 of 9 May, on the use, protection and promotion of the languages and language modalities of Aragon. In Castile and León, the Leonese and Galician are mentioned in Article 5 of the Statute of Autonomy of Castile and León. In Melilla, the Amazige is mentioned in Article 5 of the Statute of Autonomy of the City of Melilla, which refers to the cultural and language plurality of Melilla's population. A report submitted by Spain to Council of Europe also states that there are other languages that are spoken however are not mentioned in legal acts, such as Darija Arabic in Ceuta, Fala in Extremadura, and Valencian in the El Carche region of Murcia (CoE, 2021:2).

The Spanish legal framework comprises two different levels of language protection, which, in turn, correspond to cultural, geographic, and linguistic differences, and, in general, to the different characteristics of the languages spoken throughout Spain.

Institutional framework

The Spanish General State Administration has an inter-ministerial coordination body—the Council of Official Languages in the General State Administration—responsible for analysing, promoting and coordinating the activity of the different Ministries as regards the use of the co-official languages, with the aim of better meeting the demands deriving from the existence of different official languages and from their recognition in the activity of the General State Administration, thus guaranteeing that citizens’ rights are served as best possible (CoE, 2021: 2) (Ministry of Territorial Policy, 2022).

Instituto Cervantes (IC) is committed to disseminating and promoting the official languages of Spain through the language and culture courses taught at the centres included in its network. This institute is the public institution created by Spain in 1991 to universally promote the teaching, study and use of Spanish and contribute to the spread of Hispanic cultures abroad. In its activities, the Cervantes Institute fundamentally attends to the linguistic and cultural heritage that is common to the countries and peoples of the Spanish-speaking community. It is present in 88 cities in 45 countries, through its centers, classrooms, and extensions, on five continents. In addition, it has two offices in Spain, the headquarters in Madrid and the headquarters in Alcalá de Henares (Instituto Cervantes, 2022).

3.11.1 Use of language in education

Catalonia

As reported by Spain, there are private and state-run formal educational establishments in Catalonia. With some exceptions (schools that follow foreign education models, international centres, etc.), the formal language model applied in Catalonia is that established by the system of conjunctive language learning, which guarantees that pupils are fully versed in the official languages (Catalan and Spanish, as well as Aranese, if applicable) (CoE, 2018: 15).

University language policy in Catalonia is regulated by Organic Law 6/2006, of 19 July, reforming Catalonia's Statute of Autonomy (EAC), Act 1/1998, of 7 January, on Language Policy, and Act 1/2003, of 19 February, Regulating Universities in Catalonia. Article 35 of the EAC regulates language rights in the sphere of university education, and Article 50.2, focused on the promotion and dissemination of Catalan, specifies that the Government, universities, and higher education institutions, in the scope of their respective competencies, must adopt the pertinent measures to guarantee the use of Catalan in all spheres of teaching, non-teaching and research activities. The regulatory framework for language applicable to university education is primarily set forth in Article 22 of the Language Policy Act. Article 6 of the Catalan University Act is focused on language, specifying that Catalan is the language of Catalonia's universities and, therefore, the normal language of use in its activities (CoE, 2018: 20).

Article 211 of Act 2/2014, of 27 January, on Tax, Administrative, Financial and Public Sector Measures, regulates the certification of knowledge of a third language, and specifies that students that begin their graduate studies at a Catalan university in the academic year 2014-2015 and subsequent years must, on completing their studies, demonstrate knowledge of one of the foreign languages established in the university access exams (PAU), with a level equivalent to B2 of the Common European Framework of Reference for Languages (University of Barcelona, n/a).

The Consortium for Language Normalization (CPNL), formed by the Regional Government of Catalonia and 135 local authorities, offers teaching in the Catalan language throughout the region through 22 different language normalization centres (CPNL, n/a). By launching the virtual learning platform Parla.cat in late 2008, the Catalanian Government made knowledge of Catalan available to the public. The course is structured into four levels of learning: basic, elementary, intermediate, and fluent, which correspond to levels A2, B1, B2 and C1, respectively, of the Common European Framework of Reference for Languages of the Council of Europe. Students can choose between two types of study: open (free of charge) or tutored. Aula Mestra is an online platform for the teaching and learning of Catalan, linked to

Parla.cat. On the platform, teachers of Catalan from around the world can design, manage and teach courses. On Aula Mestra, courses are sorted into nine categories corresponding to the six levels of general language learning, a category for the speciality language, an information category for teachers and, in addition, a category with courses from language normalization centres that use the platform to offer their online courses (CoE, 2018).

Galicia

In the autonomous region Galicia, the teaching of Galician is regulated, primarily, in Decree 79/2010, of 20 May, on Multilingualism in Non-University Education in Galicia and the subsequent revocation, in 2012, by the Galician High Court of Justice, of paragraphs 5.2. and 12.3. of said Decree, the first of which directly affects pre-school education.¹⁶ Article 15 of Decree 79/2010, of 20 May, on Multilingualism in Non-University Education in Galicia, requires each school to constitute a task force (EDLG) to promote the use of Galician in schools. To support the work of the EDLG, the Secretariat General for Language Policy (SXPL), through its central coordination office and the territorial coordination offices, publishes offers of financial assistance for projects promoting the use of Galician at non-university educational centres under the Galician Ministry of Culture, Education and University Planning (CoE, 2018: 82).

Teachers in pre-school education are obliged to use the mother tongue that predominates among the pupils in their classroom, although they must also introduce the other co-official language to ensure that pupils know the two languages. According to law (revocation of paragraph 5.2. of Decree 79/2010) the predominant language among pupils cannot be determined through automatic application of the data obtained from the survey answered by families about the pupils' mother tongues but must be decided by the education authorities

¹⁶ The website of the Secretariat General for Language Policy (SXPL), under the Department of Culture, Education and University Planning of the Regional Government of Galicia, includes extensive information on the prevailing legislation regarding language use: <http://www.lingua.gal/a-secretaria-xeral/lexislacion>.

based on the stipulated parameters. The Department of Culture and Education draws up and issues to all the schools teaching pre-school education to pupils aged three to six years an instruction setting forth a procedure for determining the language that should predominate in the classroom during the second year of pre-school education.

In primary-level education, the presence of Galician is regulated by Decree 79/2010 on Multilingualism in Non-University Education in Galicia, and the subsequent revocation in 2012, by the Galician High Court of Justice, of paragraphs 5.2. and 12.3. of said regulation. The predominant language of each group is first determined by the management team and included in the school's language plan, which is subsequently approved by the academic staff and, finally, by the School Council, before being sent to the Educational Inspection Service (CoE, 2018: 83). Considering, too, the aforementioned ruling of the Galician High Court of Justice, students must use the language in which each area, subject or module is taught: “when assessing the respective subjects, the assessment criteria referring to the acquisition of specific knowledge shall prevail” (CoE, 2018: 83). For example, Decree 79/2010 stipulates that mathematics shall be taught in Castilian, and that Galician shall be used to teach the natural and social sciences, which include content from geography, history, and the natural sciences. For the rest of the non-language subjects, the aim is to achieve a balance between Galician and Castilian in the distribution of teaching hours.

In compulsory secondary education, there are specific subjects that are taught in Galician such as those belonging to social sciences, like geography, history, and natural sciences, like biology and geology. Mathematics, technology, physics, and chemistry must be taught in Castilian. In the remaining subjects, a balance between the languages should be established (CoE, 2018: 84).

Schools from non-compulsory secondary education¹⁷ establish their own language plan but must ensure proper balanced use of the two languages.

What concerns vocational education, the same Decree (mentioned above: 79/2010) establishes a balanced distribution of teaching hours in the two co-official languages to ensure that students are proficient in both languages. This balance should be stipulated in the school's language plan, which must be presented to the Educational Inspection Service for monitoring.

In Galicia there are three public universities (University of Santiago de Compostela, University of Coruña and University of Vigo), each of which has a Galician-language normalization service and departments for Galician teaching and research. An Inter-University Committee on Language Policy was created, formed by representatives from the three Galician universities, as well as from the Regional Government of Galicia. In this way, the universities' commitment to Galician is conveyed to Galician society in general and to the university community, in particular (CoE, 2018:87).

The Department of Education for the regional government of Galicia (Consellería de Educación de la Xunta de Galicia) certifies language proficiency in Galician. The CELGA (Certificate of Galician) is the system for certifying language proficiency adapted to the Common European Framework of Reference for Languages (CEFR) (CoE, 2018:89).

To promote understanding and values of the Galicia's linguistic, cultural, historic and artistic heritage, in pre-school education, this is done mainly via the subject area titled Knowledge of the environment and languages: communication and representation. In primary education, this is particularly through the subjects Galician language and literature (which is allocated between three and four teaching hours, depending on the level) and social sciences (with content on the

¹⁷ Secondary education in Spain is split into two stages: Educación Secundaria Obligatoria (ESO) and Bachillerato or professional training. ESO is compulsory, whereas Bachillerato, or preparation for university, is not.

geography, history, heritage and institutions of Galicia), although Galician culture is also specifically taken into consideration in both art and music, and in physical education (with traditional games, sports and dances) (CoE, 2018: 90). At compulsory secondary level, Galician history and culture is chiefly taught within Galician language and literature and Geography and history. Both subjects are taught in all four years of compulsory secondary education with 3 hours allocated a week per subject (4 hours for Galician language in the 1st year of compulsory secondary education).

To access civil service teaching posts outside of university education, individuals must be able to provide evidence of their proficiency in the Galician language (CELGA level 4 or higher, levels C1 and C2 as per the CEFR). If evidence cannot be provided, candidates must take a Galician language exam to ensure the linguistic ability of teachers (CoE, 2018: 91). As established in Decree 79/2010 of 20 May, in terms of multilingualism in non-university education in Galicia, *“individuals who are appointed to teach classes regulated by Act 2/2006 of 3 May on education shall undertake a specific training course during their placement stage on terminology, style, language specific to their area of expertise and sociolinguistic issues, which will enable them to correctly perform their role and duties in the Galician language”*.

Valencia

The Valencian Decree 9/2017 established the Valencian educational language model and regulating its application in non-university education in the Autonomous Community of Valencia (CoE, 2018: 124). This legal act set multilingual goals for the students and a single programme to increase the teaching in Valencia in all schools (40% of the schools in the regions in Alicante, 55% in Valencia and up to 83% in Castellon). However, this decree was suspended by the Valencian Community's High Court of Justice. At advanced levels of education there are very few technical and vocational schools with subjects in which Valencian is the vehicular language. The Valencian Government had not promoted this possibility but, rather, left it in the hands of the personal initiative of teachers or of schools, because there was no

specific regulation (CoE, 2018: 125). There are five universities in Valencia that organize teaching in Valencian. The teaching of this language to adults, is guaranteed by official language schools and adult education center in the territory of the autonomous community.

Basque Country

The Act 1/1993, of 19 February, on Basque Public Schools, in Art. 3.2.g) states as one of the purposes of Basque public schools that of guaranteeing for all pupils, on an equal footing, practical knowledge of both official languages at the end of the compulsory education stage, thus promoting the use of Basque and contributing to its normalization. Additional Provision Ten defines the language model applicable to the entire education system, both public and private: Model A, in which the syllabus is basically taught in Castilian, and certain activities or topics within it may be taught in Basque; Model B, in which the syllabus is taught in Basque and in Castilian; Model D, in which the syllabus is taught in Basque, with Castilian language as a subject (CoE, 2018: 156). The Model D is prevalent in the early years of education (primary education, as well as in compulsory secondary education).

Aran Valley

Aranese Occitan is the historical language of the territory of the Aran Valley (located on the border with France). The new Catalan Act 1/2015, on the special regime of Aran, includes provisions on education and schools located in Aran, in order to take into account, the territory's specific language features and their protection. The Act defines the powers of the Catalan Government and of the Aranese Government, and so, the General Council of Aran exercises complementary functions. The same applies, regarding teaching materials and curricular content involving Aranese language and culture in Aran's primary schools, to secondary schools. Teachers are required to have knowledge of Aranese in order to get a job in a school located in the Aran Valley. Students in compulsory secondary education (12–16-year-olds) receive two weekly hours of Aranese

language classes. Since the academic year 2009-2010, the University of Lleida offers a Degree in Catalan and Occitan Studies. It is the only university in Spain that offers a specific degree in Occitan language and culture (CoE, 2018: 245-246). The teaching of the Aranese modality or variant of Occitan to adults falls within the powers of the General Council of Aran, with the financial support of the Catalan Government.

Regarding Aranese, and Occitan in general, the Catalan Government annually drafts a report including the principal sociolinguistic data and the actions carried out in the previous year. The report is sent to the Catalan Parliament's Culture Committee for its assessment and analysis. A joint coordination committee between the governments of Catalonia and of Aran (Consell de Política Lingüística de l'Occità Aranès - COPLOA) was constituted in 2012 and meets annually, alternately in Barcelona and in Vielha. The two administrations exchange information about the different initiatives launched and their plans to foster and protect the Occitan language (CoE, 2018: 247).

3.11.2 Use of language in judiciary

Catalonia

Article 231 of Organic Law 6/1985, of 1 July, on the Judiciary sets forth the following in relation to the language to be used in judicial proceedings. It is stated that in all judicial proceedings, judges, prosecutors, court secretaries and other officers of the courts the Castilian, as official language of the state, is used. Judges, prosecutors, court secretaries and other officers of the courts may also use the official language of the corresponding Autonomous Community, if none of the parties objects on the grounds that due to their insufficient proficiency in this language their legal rights would thereby be prejudiced (Art. 231, para. 2). The parties, their representatives, those addressing them, witnesses and expert witnesses may use the official language of the Autonomous Community in whose territory the

proceedings take place, in both oral and written statements (Art. 231, para. 3). It is also regulated that the judicial proceedings conducted, and the documents presented in the official language of an Autonomous Community, without need of translation into Castilian, have full force and effect. They are translated when they are to have effect outside the jurisdiction of the judicial bodies located in the Autonomous Community, except in the case of Autonomous Communities with the same co-official language. They are also translated when so required by law or at the request of a party on the grounds of insufficient language proficiency.

A report submitted by Spain, states that there is a lack of Catalan language skills of a considerable proportion of the Justice Administration staff and thus the communication largely depends on translation services, with the ensuing slowness of judicial proceedings. Therefore, increasing knowledge of Catalan among judicial staff is one of the main challenges that have been addressed in recent years, both by the national and by the regional administrations, with respect in all cases for the scope of authority of each administration (CoE, 2018: 25-26).

Galicia

Article 7.1 of Act 3/1983 of 15 June on language normalization (Ley de normalización lingüística (LNL)) stipulates that in the region of Galicia, citizens may use either of the two official languages when dealing with the court system. This specific provision for Galicia is established in point 3, Article 231 of the act on the judiciary (Ley Orgánica del Poder Judicial (LOPJ)). Following paragraph 2 of Article 231 of the LOPJ, Article 7.2 of the LNL states that “judicial actions in Galicia shall be valid and shall take effect whichever official language is used. In any event, the interested party is entitled to be contacted or notified in the official language he or she chooses”. Act 3/1983 transfers to the regional government of Galicia the task of gradually normalizing the use of Galician within the court system, in accordance with the relevant bodies (CoE, 2018: 94).

The amendment to the LOPJ, via Act 19/2003 of 23 December, introduces Article 450.4, which stipulates that in regions with an official language other than Spanish, proficiency in this language will be valued favorably when appointing court clerks. This continues on from the provision introduced in Article 341 of the LOPJ with regards the appointing of court judges and other magistrates and the appointing of judges in the regions where there is more than one official language (CoE, 2018: 94). While developing the LOPJ, the Spanish government passed Royal Decree 1451/2005 of 7 December, adopting the rules for admission, appointments and promotions for civil servants working within the court system. Article 48.1.b stipulates that "*spoken and written proficiency in the official language of the regions*" shall be considered an advantage when making appointments, both in transfer competitions and in merit-based competitions.

Article 25 of the Galician Statute of Autonomy, approved by Act 1/1981, establishes that proficiency in the language will be considered an advantage during competitions and public examinations to fill the positions of magistrate, judge, court clerk, prosecutor, and all civil service posts within the court system. Article 26 of the Statute contains the same provision regarding notaries and property and commercial registrars (CoE, 2018: 95).

Valencia

Since 2015, efforts have been made on the territory of the autonomous community to increase the level of knowledge and practice of the Valencian language in judicial institutions. Trainings to judicial administration in several courthouses throughout the territory have been offered. Also, a new Judicial Office in the Valencian Community has been created and set a list of positions with assigned language profile, required to have Valencian language skills. The University of Valencia, within the Law school in 2016 created an initiative called "Jurist in Valencian" with the aim of designing a syllabus for future graduated in Law to be able to practice law in Valencian language

(CoE, 2018: 131-132). This initiative has been seen as very successful and innovative (Palao Gil, Mas Badía and Fuster, 2020).

The Government of the Autonomous Community of Valencia is responsible for producing Valencia version of several official documentations such as: the Personal Income Tax returns (IRPF), documentation involved in electoral processes, the Ministry of Justice's tests (solicitors and barristers) (CoE, 2018: 132).

Basque Country

In the Basque Country, in accordance with a collaboration agreement between the Basque Government and the Spanish National Government, all national laws and provisions are translated in Basque language (CoE, 2018: 173). In judiciary, there is a process in increasing the knowledge of Basque among judicial staff, as one of the main challenges that are addressed in this field. In 2013, the CGPJ signed an agreement with Spain's National University for Distance Education (UNED), to offer the members of the judiciary language learning programmes through the University Centre for Distance Language Learning (CUID) under special favourable conditions for them. Thus, Basque courses are on offer for the members of the judiciary, with different modalities (blended and online) and levels (CoE, 2018: 173).

3.11.3 Use of language in public sector

The Article 15 of Act 39/2015, of 1 October, on the Common Administrative Procedure of the Public Administrations, determines that the language of procedures carried out by the General State Administration is Castilian. Those interested parties addressing the General State Administration bodies that are in the territory of an Autonomous Community may also use the co-official language thereof. In this case, the procedure is carried out in the interested party's language of choice. If several interested parties are participating in the procedure, and there is a discrepancy regarding the language used, the procedure is carried out in Castilian. However, any documents or statements required by the interested parties are issued in their

language of choice. Article 15, in paragraph 2 states that in procedures carried out by the Administrations of the Autonomous Communities and of the Local Entities, the use of the language is to be in accordance with the provisions of the corresponding Autonomous Community's legislation. The documents however are needed to be translated in Castilian thereof that are to be effective outside the territory of the Autonomous Community, and any documents addressed to interested parties who request this explicitly. If they are to be effective in the territory of an Autonomous Community where that same language, other than Castilian, is co-official, they do not need to be translated (CoE, 2018).

The Royal Legislative Decree 5/2015, approving the consolidated text of the Act on the Basic Statute of Public Employees, stipulates principles of conduct of public employees in Article 54, regarding the use of languages. It states that it is guaranteed for the public to be served in the language of choice, provided that the language is official in the territory. In the public administrations, the selection of public employees is made on the basis of knowledge of appropriate language skills in order to fill the positions in Autonomous Communities which have two official languages. The knowledge of co-official languages is continuing to be taken into consideration when filling positions in territories with more than one co-official language (CoE, 2018).

The General State Administration conducts training policy for its civil servants through the National Institute of Public Administration (INAP), an autonomous body attached to the Spanish Ministry of Finance and Civil Service. The INAP collaborates in promoting the learning and developing of co-official languages by the civil servants of the General State Administration assigned to those Autonomous Communities with another official language apart from Castilian (CoE, 2018:99).

In Galicia, for example, in all competitions for employment, special merit is given to accredited knowledge of the Galician language. For personnel assigned to public information and advice positions, and those that may be related to citizen's advice, oral and written skills in the two co-official languages are considered essential as this is a basic

requisite for this type of work (CoE, 2018: 99). Printed materials and forms are translated into Galician, together with the websites of Ministries and state public bodies. Signs and signage are also bilingual. The citizen is free to choose the co-official language. The processing of procedures is undertaken both in Galician and Castilian under equal conditions. The Statute of Galician Autonomy states in Article 5 that Galicia's native language is Galician. It also stipulates that Galician public authorities shall guarantee the normal and official use of both languages and encourage the use of Galician in all spheres of public, cultural and informative life. Therefore, all documents issued by Galician autonomous and local administrations shall have a Galician version. The same is generally true for printed matter and most of the external signage of administrative buildings; there are very few cases of signage that appears only in Castilian. All the legal texts concerning Galicia that are published in the Official State Gazette (BOE) and in the Official Gazette of Galicia (DOG) appear in Galician and Castilian (CoE, 2018:100).

In Valencia, on the other hand, the Valencian Government and its Departments, units and agencies all have web portals and means of electronic communication to ensure the publication of content in Valencian: this content includes procedures, services, forms, organizational structure and job announcements (Generalitat Valenciana, n/a)(CoE. 2018: 136).

In the framework of the Basque Autonomous Community, and pursuant to Basque Act 10/1982, of 24 November, the Basic Act on the Normalization of the Use of Basque, the administrative authorities have specific obligation regarding the use of Basque (CoE, 2018: 179):

“Any legislative provision or official decision emanating from the public authorities located in the Autonomous Community of the Basque Country must be written in both languages for the purposes of official publicity” (Art. 8.1).

“Administrative notifications and communications must be written in both languages, unless the private

parties concerned explicitly choose the use of one of the Autonomous Community's official languages" (Art. 8.2).

"All citizens are recognized the right to use either Basque or Castilian in their relations with the Public Administration in the territory of the Autonomous Community, and to receive attention in the official language of their choice" (Art. 6.1).

In the case of Aranese Occitan, the Catalan Government began to draft forms from various departments in Aranese Occitan, to make it easier to communicate in that language. In different Catalan Government website there are Aranese versions of the information (CoE, 2018: 248).

3.11.4 Use of language in media

Catalonia

Catalonia's Audiovisual Council (CAC) is the independent authority that regulates audiovisual communication in Catalonia. Its purpose is to safeguard compliance with the legislation applicable to entities that provide audiovisual communication services, whether public or private. The principles of action of the CAC are the defense of freedom of expression and information, of pluralism, of journalistic neutrality and honesty, and of free competition in the sector (CAC, n/a).

Language use is most equal in radio, although Catalan is becoming increasingly present in this medium, and the two most popular radio stations (the public station Catalunya Radio and the private station RAC1), broadcast entirely in Catalan. RAC1 and Catalunya Ràdio are still the most listened to radio stations in Catalonia. Both stations broadcast in Catalan. Television has much larger audiences, but Castilian is considerably more prevalent in this medium and there are many more channels in this language. While Castilian clearly

predominates, the number of programmes in Catalan is increasing (CoE, 2018:35-36).

The Regional Government of Catalonia annually offers grants to media entities that use the co-official languages of the Autonomous Community (Catalan and Aranese), or to communication projects that seek to include these languages in some of their programmes or sections (CoE, 2018: 37).

Galicia

Act 3/1983, of 15 June, on Language Normalization in Galicia, specifies that Galician is the normal language for radio and television broadcasters together with the other social communication media subject to the management or competence of the institutions of the Autonomous Community (CoE, 2018:105).

Act 9/1984, of July 11, establishes the creation of the Galician Radio-Television Company (CRTVG), which in Paragraph 1.1 of Article 1 is charged with "*the public service mission consistent with the promotion, dissemination and stimulation of the Galician language.*"

Televisión de Galicia (TVG) broadcasts 24 hours a day on two digital terrestrial channels and two satellite channels for America and Europe, reaching almost 4 million people in north-western Spain (covering Galicia and the surrounding territories) and the north of Portugal (CoE, 2018: 105). According to media type, the total number of broadcasting hours in the Galician language is as follows: 1) TDT: 17,520 hours on the two DTT channels a year.; 2) Satellite: 17,520 hours on the two satellite channels for America and Europe a year. 3) Radio Galega: 26,280 hours through three radio stations a year. 4) Web portal web: www.crtvg.gal. In 2016, the website broadcast 130,000 hours of audio and video in Galician (CoE, 2018: 105).

Valencia

Only broadcasts in Valencian language are those broadcast by the national station Radio Television Española (RTVE) in its regional news

programme, broadcast at lunchtime, and in which Valencian is not the only language of communication. A great many radio and TV stations offer part or all of their programmes in Valencia (depending on the area in which they are based) (CoE, 2018: 138).

With the Valencian Government Act 6/2016, of 15 July, on the Valencian Government-owned Public Radio and Television Broadcasting Service in the Autonomous Community, the need to fill the information gap in Valencia's own language has been addressed. The Act created the Valencian Media Corporation, a public entity which has several functions related to guaranteeing, promoting, and disseminating historical, cultural, educational and language-related values (CoE, 2018: 138).

In the private sector, the print versions of newspapers distributed exclusively in the Valencian Community use Castilian as their habitual language of expression. In digital press there are more options in Valencian: newspapers that have chosen Valencian as their vehicular language; newspapers that have chosen to have two digital versions: one in Castilian and one in Valencian (CoE, 2018: 139).

Basque Country

In the sphere of radio and television broadcasting, the public entity Basque Radio Television (EiTB) has four channels. EiTB has television broadcasts entirely in Basque on the channels ETB-1 and ETB-3. Channel ETB-2 broadcasts in Castilian, and ETB-4 is bilingual. ETB-1 and ETB-2 started broadcasting in High Definition (HD) in December 2016 (CoE, 2018: 189).

Spain's Act 17/2006, of 5 June, on publicly owned radio and television, includes among its principles the promotion of pluralism and language diversity (Article 3.2.e). It must also be noted that, pursuant to consolidated case law, the right to receive radio and television broadcasts in Basque must be guaranteed by all public authorities, without exception, in the territory of the Autonomous Community of the Basque Country (Basque Act 10/1082, Article 5), and therefore, by

RTVE in territorial broadcasts in the Autonomous Community (CoE, 2018: 189).

Aran Valley

Catalonia's Audiovisual Council (CAC) works to ensure that the Catalan and Aranese Occitan languages are increasingly present in radio and television. To this end, the CAC unanimously approved two agreements stipulating a minimum quota for vocal music in Catalan, which affected a total of 11 radio stations. Service providers could request a reduction, by virtue of Agreement 295/2007, which approved the CAC's Instruction on the presence of Catalan language and culture and Aranese in the media (CoE, 2018: 251).

3.11.5 Use of language in cultural activities and facilities

Catalonia

The Catalan Institute of Cultural Companies (ICEC), which until 2011 was called the Catalan Institute of Cultural Industries (ICIC), is a body under the Catalan Government's Culture Department, created in 2000 for the purpose of promoting artistic creativity and the production, distribution, and dissemination of cultural content, through the development of cultural companies and by fostering consumption of cultural works and the expansion of markets for Catalan culture (CoE, 2018:40). ICEC has annually offered different lines of grants to support audiovisual production. ICEC's strategic objective in this area is the consolidation of theatre and circus companies in Catalonia. To meet this objective, in the 2013-2016 period several different grants were announced for professional companies, production companies, production and cinema management companies, private theatres, associations of sector professionals and companies and entities engaged in activities to promote the performing arts.

Galicia

Article 25 of Act 3/1983 of 15 June on language normalization states that the Galician Government should promote the standardization of the use of Galician in commercial, advertising, cultural, social, sports and other activities. Private and public cultural activities are mostly carried out in Galician throughout the entire process: creation, marketing, performance, etc. The Galician Government, and its Department of Culture, Education and University Planning, supports cultural expressions offered by different entities and institutions in Galicia that foster the use of the Galician language, and to this end it establishes the corresponding collaboration agreements, one-off grants, and regulated grant lines.

Since 1999 there has been a Language Advisory Division, attached to the Secretariat-General for Language Policy. The language advisory staff manages the tests aimed at accrediting Galician language proficiency, and, as the case may be, proficiency in Galician for special purposes; provides advice on language and on the production and offer of technological resources to promote the use of the Galician language; manages applications for translations from Galician into Castilian and vice versa of official documents, agreements and certificates originating in or destined for other Autonomous Communities or European Union institutions; manages applications for translation into Castilian of official certificates issued in Galician that are to produce administrative effects in the public administrations in Spain's other Autonomous Communities; manages applications for certificates of professional competence to provide sworn translation and interpretation services from other languages into Galician and vice versa, and maintaining the Official Registry of Professional Translators and Interpreters (CoE, 2018: 112).

Valencia

The Valencia's cultural activity has Valencian as its vehicular language, and this is also the language of communication between cultural agents and the public, through the websites of museums, culture institutes, theatres, etc., and the language of the activities' promotional

materials (leaflets, magazines, catalogues, etc.) (CoE, 2018: 142).

Basque Country

On an annual basis, grants are awarded (by the Basque Country's Department of Culture and Language Policy) to promote publishing in Basque within the Basque Autonomous Community (CoE, 2018: 194). The Etxepare Basque Institute of the Basque Country's Administration annually offers specific grants for publishing translations into other languages of literary works originally written in Basque or in Castilian by authors residing in the Basque Autonomous Community. This institute is formed as a public institution and works to enhance the international presence and visibility of the Basque language and culture (Etxepare Euskal Institutua, n/a).

Aran Valley

Within the support given by the Catalan Institute of Cultural Companies, grant exist to support audiovisual production in which the Aranese language is present. The Catalan Institute of Cultural Companies (ICEC), which until 2011 was called the Catalan Institute of Cultural Industries (ICIC), is a body under the Catalan Government's Culture Department, created in 2000 for the purpose of promoting artistic creativity and the production, distribution, and dissemination of cultural content, through the development of cultural companies and by fostering consumption of cultural works and the expansion of markets for Catalan culture (CoE, 2018: 253).

3.11.6 Use of language in economic and social life

Catalonia

The public authorities continue working to ensure the presence and use of Catalan in the socio-economic sphere. To extend the use of Catalan in the social sphere, above all to those people who have spent least time in the Autonomous Community, various departments of the

Catalan Government have undertaken initiatives to intensify language learning among the population. Thus, in the regulatory framework of Act 10/2010, of 7 May, on the Reception of Immigrants and Returnees to Catalonia, particular emphasis has been placed on promoting the Catalan language in social settings. To meet the objective of making Catalan the public language shared in public life, several courses have been offered, divided into the following three modules: Catalan language and knowledge of Catalan society; work training; and internships in the chosen job sector (CoE, 2018: 43).

Fundació puntCAT promotes all types of activities related to the creation, management and monitoring of .cat domain names and, in general, to raising the profile of Catalan language and culture on the internet and in new information technologies (Fundacio.cat, n/a).

The Comerç.cat project is a Fundació puntCAT initiative aimed at increasing the number of businesses in Catalonia with websites in Catalan and with .cat domain names. Comerç.cat focuses particularly on Catalonia's small business owners, to encourage them to publicize their businesses online and in Catalan. Fundació puntCAT creates websites in Catalan free of charge for business owners that acquire a .cat domain name (Fundacio.cat, 2021).

The Government of Catalonia has created the *Català i empresa, ja està al dia?* programme to provide language assistance to any company that requests it, in relation to customer service, business opportunities, quality service, market language, etc. In this space, companies can also take a test to determine whether they are up to date on the availability of Catalan, the legal provisions that regulate it, or a series of grants for projects organized by business organizations and companies to broaden the range of products and services in Catalan and to promote its use. All this information is available online (CoE, 2018: 44).

In 2015 the Consortium for Language Normalization created the Language and Company newsletter, a monthly publication which reports on news related to Catalan and the business world (Consortium for Language Normalization, n/a).

At the level of the Autonomous Communities, the Administration of the Catalan Government has continued promoting the Catalan language in the field of healthcare (CoE, 2018:45).

Galicia

Article 25 of Act 3/1983, of 15 June, on language normalization, stipulates that the Galician Government and the local authorities, within their sphere of powers, shall promote the normalization of the use of Galician in commerce, advertising, culture, associations, sport and other activities. To this end, and for specific acts, exemptions from tax obligations, or reductions in this respect, may be allowed. Moreover, grants may be awarded to private companies, professional associations, business associations, chambers of commerce and non-profit-making organizations and associations to promote the use of Galician (CoE, 2018: 115).

In the past, in the period from 2016 to 2020 a Plan to Promote Galician in the economic sphere was developed. One of the fundamental goals of this plan was to focus on the social promotion of Galician in the economic and business sphere through the 10 areas into which the document is structured: hospitality, retail, food, ICT, construction and real estate, banking, advisory and intermediation, advertising agencies, labour, and cooperativism (CoE, 2018: 116).

Two Decrees are applicable to industrial production. Decree 101/85, of 23 May, which addresses the use of Galician in labelling and advertising products commercialized in Galicia, refers to the possibility of using Galician (only, or to the same extent as Castilian) in the labelling of containers or packaging of products commercialized in this Autonomous Community. The Decree of 16 June 1994 is still in force and addresses the use of Galician in the labelling of products and in the information to consumers in Galicia. The labelling of products in Galicia is governed by Royal Decree 1334/1999, on the General Rules on Labelling, Presentation and Advertising of Food Products. Article 18, on the language of labelling, states that “the labelling of food products commercialized in Spain shall be expressed, at least, in the official Spanish language of the State.” The Royal Decree adds that

“The provisions of the above paragraph shall not be applicable to traditional products manufactured and distributed exclusively in an Autonomous Community that has an official language of its own.” (CoE, 2018:115).

Galician is being incorporated into financial and banking documents. The Galician-language option is activated in most ATMs and in some cases is activated automatically when the card is inserted, if the client has previously stipulated this preference (CoE, 2018: 115).

The official language of external communication and of the signage of health centres in Galicia belonging to the Galician Health Service (SERGAS) is Galician. All the Health Department’s and the SERGAS’s regulatory documentation and software is in Galician. In centres such as the Santiago de Compostela University Hospital Complex, for example, all the staff’s internal communication (alerts, messages, etc.) is in Galician. In cases in which the signs are made by the centre’s staff, these may sometimes be in Castilian only (CoE, 2018: 115).

Valencia

In the Autonomous Community of Valencia there is no legislation in economic and social activities that limits the use of Valencian language. The Act on the Use and Teaching of Valencia, in Articles 2, 3, 4, 5 and 17, sets forth that no one in the Valencian Community may be discriminated for using Valencian in their public or private relations, and that they are even entitled to carry out their professional, commercial, labour-related, trade union-related, religious, recreational, and artistic activities in Valencian (CoE, 2018: 145).

Basque Country

The Act 10/1982, of 24 November, on the Normalization of the Use of Basque, recognizes people’s language rights, and assigns obligations to the public authorities about the protection of those rights (CoE, 2018: 202). Thus, in this regard, there are grants available from the public authorities for the use of the language in private companies and in the public administrations.

Aran Valley

The use of Occitan Aranese in consumer relations is guaranteed by Art. 128 para 1 of the Catalan Act 22/2010. In Aran everyone has the right to receive attention in Aranese, orally and in writing, as users or consumers (CoE, 2018: 255-256).

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3.12 The case of Switzerland

The Swiss Confederation or Switzerland is a landlocked federal state of Central Europe. The administrative capital of Switzerland is Bern, while Lausanne serves as its judicial center. Switzerland is a nation of many languages. Of the twenty-six cantons that make up Switzerland, twenty-two have only one official language. Three cantons are bilingual in French and German, and one canton is trilingual in Romansh, German and Italian.

The official languages of Switzerland are German, French, Italian and Romansh. German is spoken by approximately 62% of the population in 17 cantons in the central, north, and east of Switzerland. French is spoken by around 23% of the citizens in the West and Italian by 8% in the south. Only spoken by 0,5% of the population, Romansh is only an official language in the canton of Grisons. Swiss German is basically Alemannic, a German dialect, which can be sub classified in Low, High and Highest Alemannic. It differs much from the standard German so Germans normally cannot understand Swiss German. (European Language Grid, n/a).

Legal framework

The Swiss Constitution distinguishes between national and official languages: French, German, Italian and Romansh are used by citizens of Switzerland (Article 4, Federal Constitution of the Swiss Confederation of 18 April 1999, Status as of 13 February 2022), but only the first three have the status of official languages at the federal level (French, German and Italian) (Article 70 Article. 1, Federal Constitution; Article. 5 Article. 1, Languages Act 10.).

The three official languages are completely equal in status, whether in those cantons there is a majority or a minority in percentage, under Federal Act on National Languages and Understanding between the Linguistic Communities of 5 October 2007 (Status as 1 February 2021).

Any person dealing with a federal authority may do so in the official language of their own choice.

The federal authorities shall answer in the official language in which they are addressed. They may agree with persons who contact them to use a different official language. Persons who speak Romansh may address the federal authorities in its idioms or in Rumantsch Grischun. The authorities answer in Rumantsch Grischun. Furthermore, the Federal Council may restrict the free choice of official language for dealings with authorities whose activities are limited to a specific region. Also, in dealings with persons who have no command of an official language, the federal authorities shall if possible use a language that these persons understand (Article 10, Law on Languages and Art. 14 pg. 1 Law on Languages of the Swiss Confederation).

In 2010, the majority of the population (65.6%) spoke German, 22.8% French, 8.4% Italian and 0.6% Roman. 8.7% of the population have a different mother tongue (EURYDICE, 2017).

The Federal Act on National Languages and Understanding between Linguistic Communities promotes the individual and institutional multilingualism of Switzerland. The law regulates the use of the official languages of the Swiss Confederation, the promotion of understanding and exchange between language communities, support for multilingual cantons in fulfilling their specific tasks, and support for the cantons of Graubünden and Ticino in preserving and promoting Roman and Italian culture.

Since German, French and Italian are the official languages of the Confederation, the official decrees must be drawn up in these three languages. Romanian is the official language of the Confederation when communicating with Romanian speakers. The cantons decide for themselves their official languages. In order to preserve harmony between language communities, they shall respect the traditional geographical distribution of languages and shall take indigenous language minorities into account. The Confederation and the cantons shall encourage understanding and exchange between the linguistic communities and shall support multilingual cantons in the fulfilment of their tasks (Article 70, Swiss Constitution of April 1999) (Feldlex, 2022).

In four cantons (Geneva, Jura, Neuchâtel, Vaud) the official language is French. In three cantons (Bern, Fribourg, Valais) there are two official languages (German and French), and in one canton (Graubünden) there are three official languages (German, Roman, Italian). In one canton (Ticino) the official language is Italian, in the other 17 cantons German (EURYDICE, 2017).

Not to symbolize any connection with any of the four national languages and not to be considered one language as superior to the other, Latin was chosen as the neutral language. This election also symbolizes a Swiss state, which wants to preserve and praise its equality of languages and thus promoting multilingualism and equality of languages as a unique feature of Switzerland. Although Switzerland prides itself on its multilingualism, it does not necessarily mean that the Swiss are multilingual. The use of territoriality principle resulted in the homogenization of the various cantons and reduced language contact. A symbolic choice of languages can be seen in Switzerland's official name that is reflected in the Latin name *Confoederatio Helvetica* ("Swiss Confederation"). The purpose of this contribution is to analyze the language policy in Switzerland, to discuss the conditions that result in linguistic diversity in multilingualist and explore the advantages and disadvantages of the Swiss model (Kuzelewska, 2016)

According to Article 11, Law on Languages of the Swiss Confederation when it comes to texts of special importance and documents related to the popular vote and the federal elections, in addition to the official languages, they are also published in Romansh language (Article 11, Law on Languages of the Swiss Confederation).

According to the Constitution (Article 4, Article 8, Article 18, Article 31, Article 70), no person should be discriminated against, especially on the basis of origin, race, sex, age, language, social status, lifestyle, religious, ideological or political beliefs, or due to physical, mental or psychological disability (Article 4, Article 8, Article 18, Article 31, Article 70). Furthermore, the freedom to use any language is guaranteed and every person deprived of their liberty has the right to be informed without delay and in a language they can understand the

reasons for their detention and their rights. They are given the opportunity to exercise their rights, especially the right to be informed about their neighbor. The cantons decide on their official languages. In order to preserve harmony between language communities, the Cantons will respect the traditional territorial distribution of languages and take into account indigenous language minorities. The Confederation and the Cantons foster understanding and exchange between language communities. The confederation will support the multilingual cantons in fulfilling their special duties, and will also support the measures of the cantons of Graubunden and Ticino for the preservation and promotion of the Romansh and Italian languages. When electing the Federal Council, special care must be taken to ensure that the various geographical and linguistic regions of the country are adequately represented.

3.12.1 Use of language in education

According to the Section 14 the Federal Language act, within their jurisdictions, the Confederation and the cantons shall promote multilingualism in teaching. In regulating the recognition of graduation diplomas, they shall create conditions which promote the multilingualism of elementary and high school students. They shall ensure that the language of instruction is in its standard form at all levels of education. The Confederation may grant the cantons financial assistance for, among other things:

- the development of teaching and learning methods of the appropriate national languages.
- basic training and continuing education of teachers.
- teaching in another national language of non-linguistic disciplines.
- teaching of a third national language given in compulsory schooling (Law on Languages of the Swiss Confederation).

The language of instruction in schools is laid down by the cantons. As a rule, it is the official language of the place in which the school is located (German, French, Italian or Romansh). In the multilingual cantons one of the national languages is used as the language of instruction depending on the region or commune.

In the German-speaking cantons the spoken language is dialect or vernacular, while the written language is standard German (diglossia). In everyday situations and in local television and radio programmes dialect or vernacular is spoken. Correspondence is written in standard language. The cantons govern the use of dialect and standard German in school teaching, while in most cantons teaching from the first primary school class is mainly in standard German. Switzerland's multilingualism makes learning a second national language particularly important. The further development of language teaching in order to coordinate language teaching in compulsory education (EURYDICE, 2017).

Switzerland is a federal and multilingual country with a decentralized education system. The primary responsibility for education lies with the 26 cantons (states). While the cantons are responsible for compulsory education, the cantons and the Federal Government share responsibilities for post-compulsory education (general education schools, vocational and vocational education and training, universities). Decentralization is reflected in the fact that cantons and their municipalities fund 90% of public education expenditures.

The Swiss Confederation and the cantons have an obligation to ensure a high degree of quality in the education system. The whole education system in Switzerland is monitored in the performance of this duty, the key challenges are identified and the achievement of the policy objectives is regularly evaluated. One of the results of this monitoring process is the Swiss Education Report; 95% of all children in compulsory education attend public schools in their local municipality (Swiss Coordination Centre for Research in Education, 2018). There is no free choice of school in compulsory education. Public schools are attended by children of different linguistic, social and cultural backgrounds. The same schools in compulsory education are free.

Each canton is responsible for developing the curriculum including the weekly teaching periods per subject and hour. The Federal Constitution obliges cantons to harmonize their education systems in terms of structure and objectives. The cantons have, for example, developed language-regional curricula for compulsory education.

The language of instruction is French, German, Italian or Roman, depending on the language region. Students learn the second official language of Switzerland, as well as English during their compulsory school years. Switzerland has a strong system of vocational and vocational education (VET). The education offers mostly dual vocational education and training programs at the upper secondary level and extensive vocational education programs at the upper secondary level.

Of all young people, two-thirds are leaving compulsory education enroll in VET, which provides them with a solid foundation for a given occupation. About one-third decide to pursue higher education, which prepares them for higher education at university.

Open access to different types of education and a high degree of permeability between programs play an important role: anyone with the necessary qualifications can generally attend the courses of their choice. With a few exceptions. VET is subject to certain restrictions due to the ceilings of the internship positions. The Federal Diploma in Vocational Education and Training combined with the federal Vocational Baccalaureate, for example, paves the way for universities of applied sciences. By taking an additional aptitude test, students have the opportunity to enroll in a university or federal institute of technology.

More than 90% of all young people obtain a certificate or diploma at the upper secondary level, which allows them to pursue higher education or facilitate direct entry into the labor market (EURYDICE, 2017).

The impact of Swiss federalism on the country's language education system is undoubtedly very strong (Brohy 2005), and when the Conference of Cantonal Education Ministers called for the

development of a national language learning program in the late 1990s, the proposed policy was "an obligation for all" students to study, in addition to L1, another national language, plus English, and the opportunity for all students to learn Italian as a third national language "(Brohy 2005: 138). The decision on which language to adopt as L2 between the national language or English was delegated to the cantons. The result was that "most German-speaking cantons chose English, the French-speaking canton decided to keep German as L2, while Ticino introduced Italian, French, German and English" (Brohy 2005: 138). The constant presence of English in all curricula has been observed for a long time. However, what has changed is that it was mandatory everywhere. Additional evidence for this phenomenon lies in the fact that the "new directions of Ticino" changed from the French compulsory and the English non-compulsory, where "the French language becomes optional in the 8th grade" (Brohy 2005: 143).

3.12.2 Use of language in judiciary

The Brexit referendum in 2016 and the withdrawal of the UK from the EU on 31 January 2020, several jurisdictions established the so-called "International Commercial Courts", in which English is the standard language (Raess,2020). So far there have been several such initiatives in Switzerland. However, under the Swiss Code of Civil Procedure and Ongoing Audits and Federal Law on Private International Law, it is intended to permit the use of English in certain situations. This has led to widespread debate in multilingual Switzerland.

English is one of the most widely used languages by those who do not speak their mother tongue worldwide often described as a *lingua franca* and is used not only in everyday life, but especially in international trade - and the many disputes that arise there.

Two important milestones should be mentioned in this regard, both at cantonal and federal level. Under the current revision of Chapter 12 of Federal Private International Law 4 (IPLA CH) governing international arbitration, it is planned to allow legal submissions to be

submitted in English to the Federal Supreme Court (FSC), which usually acts as the only appellate court. However, this is mainly because English enjoys such popularity as a second language. For example, many more people speak Mandarin Chinese as their first language than English (Raess, 2020).

The judgments and justifications of the Swiss Federal Supreme Court are issued in the language of the impugned decision. However, the parties to the proceedings are free to prepare their complaints in one of the official languages of Switzerland. Petitions are not translated (Swiss Association, 2015). Only Regeste (short summary of the sentence) is translated into three official languages - German, French and Italian. The rest, including the justification for the sentence, has not been translated into other languages (Kuzelewska, 2016).

3.12.3 Use of language in public sector

Multilingualism is reflected in the way the Swiss Parliament works and, in its organization, and is reflected throughout the legislative process. Currently, the two chambers of parliament have: 175 members in German (71%); 57 members in French (23%); 11 members in Italian (5%) and 3 members in Romanian (1%), which roughly corresponds to the disintegration of the official language communities among the population (The Federal Assembly — The Swiss Parliament, n/a).

For multilingual cantons, there is no constitutional guarantee that they must have a member of parliament to represent each of their language communities: thus, the bilingual canton of Bern is represented in the federal parliament by only German-speaking members.

According to the Article 12 of Federal Act on the National Languages and Understanding between the Linguistic Communities (2021) the federal authorities shall communicate with the public in the four official languages, in particular in the design of its printed matter, in signs in its buildings and of its internet home pages.

Personal identity documents according to law shall be issued in the four official languages. Also, the federal forms intended for the general public must be made available in all the official languages. The federal authorities may allow exceptions for forms intended for a limited group of persons.

According to the Article 20 of Federal Act on the National Languages and Understanding between the Linguistic Communities the Confederation shall encourage its employees to further their knowledge of the national languages and that the linguistic communities are fairly represented in the federal authorities and extra-parliamentary committees, and shall encourage plurilingualism in the armed forces.

Also, the Confederation and the cantons shall make their terminology databases available to each other free of charge (Federal Act on the National Languages and Understanding between the Linguistic Communities, 2007).

3.12.4 Use of language in media

According to Art. 17 of the Languages act, 2021) freedom of the press, radio and television and of other forms of dissemination of features and information by means of public telecommunications is guaranteed. Censorship is prohibited. The protection of sources is guaranteed. Tresch (2008) analyzed how news media in multilingual Switzerland cover regions within Switzerland, targeting whether they bridge language barriers and cover events from other language regions. With four official languages, Switzerland is a clear case of an officially multilingual state segmented along language regions with accordingly segmented media markets (Tresch, 2008). It is also a country with strong elements of federalism, that is, the strong autonomy of sub-national units such as cantons (states) and municipalities with direct-democratic votes regularly taking place on all levels (national, cantonal, municipal). Given the political importance of regional units and their characteristics, news media are expected to reflect this regional complexity and adequately cover

regions in domestic coverage. Considering the ongoing structural problems of the Swiss news media, which see revenues from advertising and subscriptions dwindle, substantial, cost-intensive, trans regional news coverage seems more difficult to conduct than before.

To map the amount of trans-regional news coverage and to find the factors that explain the type of trans-regional news coverage, a representative sample of 47 Swiss media articles from different types of media and trilingual regions is automatically structured based on the names of Swiss municipalities. To explain the differences in media content, we distinguish between types of media with business models, between media from language regions, and between sources. This analysis allowed us to answer the extent to which the media cover other language regions, which topics enhance or hinder trans regional references, and which structural features explain the results. (Journalism Studies, 2021) (Volger, 2021).

The Swiss media market is small and highly fragmented, subdivided into a relatively large German-language media market, a smaller French-language market in the west as well as a very small Italian-language market in the south of the country. At the same time, media ownership in Switzerland is highly concentrated. There are two large providers, the PSB SRG SSR, present in all parts of the country with its TV and radio programmes (German-language SRF, French-language RTS, Italian-language RSI), and the Swiss publishing house Tamedia AG, present in all three main language regions with its nationwide free paper *20 Minuten*, *20 Minutes* and *20 Minuti* respectively (Meier (n/a).

3.12.5 Use of language in cultural activities and facilities

According to the Federal Act of National Languages the Confederation shall grant the cantons of Graubünden and Ticino financial assistance to support:

- measures to preserve and promote the Romansh and Italian languages and cultures.
- organisations and institutions that fulfil supra-regional responsibilities to preserve and promote the Romansh and Italian languages and cultures.
- publishing activities in Romansh and Italian-speaking Switzerland.

To preserve and promote the Romansh language, the Confederation may support measures to support the Romansh media.

According to the sixth periodical report, Franco-Provençal is spoken by approximately 11,000 people in the Cantons of Valais/Wallis, Fribourg/Freiburg, and Vaud. Several cultural activities in or around Franco-Provençal (and Franc-Comtois) have been developed by associations in the cantons of Valais/Wallis, Fribourg/Freiburg, Vaud (and Jura)¹⁸

Federal financial assistance shall amount to a maximum of 75 per cent of the overall costs (Federal Act on the National Languages and Understanding between the Linguistic Communities).

¹⁸ Patois is a hypernym for both Franco-Provençal and Franc-Comtois. In the Cantons of Valais/Wallis, Fribourg/Freiburg and Vaud, Patois means Franco-Provençal. The constitution of the Canton of Jura mentions Patois – i.e. Franc-Comtois – as part of the cultural heritage of the canton.

3.12.6 Use of language in economic and social life

Lia Rumantscha is involved in promoting use of Romansh in economic and social life (CoE, 2001: 32). It is helped in this task by cantonal subsidies. In addition to the Lia Rumantscha, the regional language services funded by the Confederation and the canton undertake, amongst other things, translations for banks, tourist organisations, health insurance funds, etc. The Cantonal Bank of Grisons is an independent establishment under cantonal public law. As a cantonal institution, it reflects the canton's trilingualism. It therefore has a trilingual name and also provides a number of forms in Romansh and Italian. The bank's branches in Romansh territory endeavor to employ staff with a command of the regional language. As a cantonal institution, Rhaetian Railways ensures that it uses both minority languages to a certain extent. A number of markings on trains and in stations are in both Romansh and Italian, and on some trains, announcements are also made in Romansh (CoE, 2003)

The independence of economic dimensions from linguistic dimensions seems to be eroding, and perilous patterns of association may be emerging. On the micro-economic level, there is a tendential concentration of economic decision making-power in German speaking Switzerland, with a leading position of Zurich; the recent surge in unemployment rates in the first half of the nineties was much more pronounced in French-speaking Switzerland (with unemployment affecting up to 8% of the active population in some French speaking cantons like Geneva, while it remained well below 2% in some German-speaking cantons like Appenzell, and below 5% in Zurich). On the micro-economic level, the statistical treatment of data gathered in 1994/95 on earnings and language reveal patterns of association between one's mother tongue and one's income, controlling for age, experience, education, second language skills and gender (Grin, 1998). To the extent that the economic fabric of the three main language regions remains comparable, these discrepancies can only be interpreted as forms of language-based discrimination, which work against native speakers of Italian and in favour of native speakers of German or Swiss-German dialect — the position of native French-speakers being somewhere in between and usually not

statistically different from that of native German-speaking residents (Grin, 1998).

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Concluding remarks

As mentioned in the beginning of this publication, it aims to bring closer and develop better understanding of the language use policies and practices of shortlisted, geographically dispersed countries, where bilingual/multilingual language models are prevalent and applicable within the society.

Over the course of many years, major social changes have taken place globally, thus putting a significant mark on language models from country to country. Undoubtedly, there is a strong interest among policymakers and other relevant stakeholders towards implementing successful language policies, but also for language professionals and scholars to comparatively study the successful language models from some of the most developed countries in the world (Canada, Switzerland, Belgium, Luxembourg, ...), a process that can help in tailoring future highly successful language policies, starting from the language education.

All the presented case studies share insights of language use policies and practices of carefully selected countries, with rich history of their own ethnic and linguistic diversity. In this “small” world often referred to as a “global village”, a society with pro-multilingual approach has more advantages in its ability to speak his voice on the global stage. As the countries become more interconnected in the global economy, language policies and their effectiveness appear in the spotlight. Globalization has been affecting the language concepts to a significant extent in many countries and has brought more awareness of the values of multilingualism and multilingual education.

In today’s digital world, the multilingualism is a common fact. As the number of individuals with multilingual skills increases on a regular basis, it is essential for educators and policymakers to utilize this fact and adjust their language policies to be in line with the global trends, and, at the same time, to ensure that social, cultural, and linguistic characteristics of a diverse environment is sustained and preserved for betterment of the societies in today’s era.

Annexes: - Selection of examples of use of bilingualism or multilingualism

Annex 1 - In the case of Belgium

Figure 1: Bilingual (French-Dutch) signs in Brussels



Source: Andrijko Z. Retrieved from https://commons.wikimedia.org/wiki/File:Bilingual_%28French-Dutch%29_signs_in_Brussels.jpg

Figure 2: Belgium's traffic sign



Source: Sam Quillen. Retrieved from <https://sjquillen.medium.com/straight-outta-fourons-belgiums-linguistic-insanity-5a7d3bce1966>

Figure 3: Street sign in Brussels, in Dutch (lower half) and French (upper half)



Source: Chexov on Flickr. Retrieved from https://commons.wikimedia.org/wiki/Category:Bilingual_road_signs_in_Belgium#/media/File:Bruxelles-Brussel.jpg

Annex 2 – In the case of Canada

Figure 1: Rideau-Goulbourn and Ottawa's bilingual divide



Source: MPD01605 on Flickr. Retrieved from <http://www.davidmckie.com/rideau-goulbourn-and-ottawas-bilingual-divide/>

Figure 2: Bilingual board in English and French of the Department of Justice Canada



Source: Free source iStock. Retrieved from <https://nationalmagazine.ca/en-ca/articles/law/opinion/2019/fixing-the-flaws-of-the-official-languages-act>.

Figure 3: Bilingual sign-Canada



Source: Bobbsled on Flickr. Retrieved from <https://www.flickr.com/photos/mpd01605/3809855101>

Annex 3 – In the case of Croatia

Figure 1: A bilingual road sign in Istria (1)



Source: Unknown author, 1959, License public domain. Retrieved from https://www.wikiwand.com/en/Italian_language_in_Croatia

Figure 2: A bilingual road sign in Istria (2)



Source: Zufic, V. (2016) Istria: 25 Things to Know About the Terra Magica, a Croatian Jewel Retrieved from <https://www.total-croatia-news.com/25-things-to-know-about-croatia/11647-istria-25-things-to-know-about-the-terra-magica-a-croatian-jewel>

Figure 3: Town name sign in Croatian and Italian



Source: Agroturizam Nezic, Oprtalj. Retrieved from:
https://www.tripadvisor.com/LocationPhotoDirectLink-g1937952-d2403420-i295250302-Agroturizam_Nezic-Oprtalj_Istria.html

Annex 4 – In the case of Cyprus

Figure 1: Bilingual road signs in Greek and English to the Police Station, Hospital and Post Office



Source: Stephen @adobeStock. Retrieved from <https://stock.adobe.com/images/bilingual-road-signs-in-greek-and-english-to-the-police-station-hospital-and-post-office/178276762>

Figure 2: Bilingual signs Greek and English



Source: Andrikkos. Retrieved from https://commons.wikimedia.org/wiki/File:Bilingual_warning_sign_in_Cyprus.svg

Figure 3: Road signs-Cyprus



Source: Cyprus Guides on Flickr. Retrieved from <https://www.flickr.com/photos/cyprusguides/8076835000>

Annex 5 – In the case of Finland

Figure 1: Finnish – Swedish Bilingual street sign of John Stenbergin ranta in Helsinki, Finland



Source: Coen. Retrieved from https://commons.m.wikimedia.org/wiki/File:Bilingual_street_sign_of_John_Stenbergin_ranta_in_Helsinki,_Finland,_2021.jpg

Figure 2: Bilingual motorway sign, Vantaa



Source: Matti Grönroos. Retrieved from https://www.mattigrönroos.fi/w/index.php/Introduction_to_Roads_in_Finland

Figure 3: Finnish – Swedish Bilingual street sign of John Stenbergin ranta in Helsinki, Finland



Source: Jacek Rużyczka. Retrieved from https://commons.wikimedia.org/wiki/File:Bilingual_street_sign_in_Helsinki.JPG

Annex 6 – In the case of Hungary

Figure 1: Bezenye (Bizonja), Hungary. Bilingual (hungarian-croatian) city limit sign



Source: Marcin Szala. Own work. Retrieved from <https://commons.wikimedia.org/wiki/User:Pudelek>

Figure 2: Bilingual road signs in Hungary



Source: Dreamstime.com. Retrieved from <https://www.dreamstime.com/stock-illustration-bilingual-road-signs-used-hungary-image77200855>

Annex 7 – In the case of Italy

Figure 1: Bilingual toponomy on the A4, regarding the traditional Slovenian settlement area (private photo)



Source: Minority Monitor (2021). Bilingual motorway inscriptions in Italy- best practice example. 30.03.2021. Retrieved from <https://minoritymonitor.eu/case/Bilingual-motorway-inscriptions-in-Italy-best-practice-example>

Figure 2: Border crossing at the Iselsberg Pass, Welcome table in the province of Trentino, Italy, European Union



Source: Naturpuur. Retrieved from https://commons.wikimedia.org/wiki/File:Iselsbergpass,_Willkommen_Tafel_in_der_Provinz_Trentino,_Italien.jpg

Figure 3: Sign of the Autonomous Province of Bolzano-South Tyrol in three languages: Italian, German and Ladin



Source: Autonomous Province of Bolzano-South Tyrol (n/s). Home page. Retrieved from <https://www.provincia.bz.it/it/>

Annex 8 – In the case of Kosovo

Figure 1: Multilingual border sign Welcome to Kosovo



Source: Unknown. Retrieved from: <https://www.quora.com/Is-Kosovo-recognised-by-Serbia>

Figure 2: Municipalities of Rahovec in Albanian, Serbian and English language



Source: KALLXO.com. Retrieved from:
<https://kallxo.com/gjate/hulumtim/komunat-shkelin-ligjin-per-dygjuhesi-dhe-transparence/>

Figure 3: Multilingual sign at the Constitutional Court of Kosovo



Source: Radio Evropa e Lirë. Retrieved from:
<https://www.evropaelire.org/a/qeveria-e-kosoves-gjykata-kushtetuese-/30979996.html>

Annex 9 – In the case of Luxembourg

Figure 1: Road sign in Luxembourg



Source: RTL. Retrieved from:
<https://today.rtl.lu/news/luxembourg/a/1266487.html>

Figure 2: Road sign in Luxembourg



Source: RTL. Retrieved from
<https://today.rtl.lu/news/luxembourg/a/1266487.html>

Figure 3: Traffic signs in Luxembourg



Source: Beritk. Retrieved from:
<https://www.dreamstime.com/border-crossing-to-germany-many-road-signs-inform-speed-limits-toll-fees-german-streets-welcome-sign-eu-european-image245374028>

Annex 10 – In the case of Slovenia

Figure 1: Slovene – Italian, issue of the Slovenian passport



Source: Stonchy, 2007. Retrieved from:
https://www.wikiwand.com/en/Italian_language_in_Slovenia

Figure 2: A multilingual sign in Slovene and Italian near Koper



Source: Romanm, 2007. Retrieved from:
https://www.wikiwand.com/en/Italian_language_in_Slovenia

Figure 3: Bilingual sign In the Slovenian town Koper/Capodistria



Source: Peter Jordan. Retrieved from: https://www.researchgate.net/figure/In-the-Slovenian-town-Koper-Capodistria-Destinations-in-neighbouring-countries-are_fig19_267557204

Annex 11 – In the case of Spain

Figure 1: Top-down governmental sign: Basque-Spanish bilingual (pedestrian zone)



Source: Aiestaran, J. Cenoz, J. and Gorter, D. (2010) Multilingual cityscapes: perceptions and preferences of the inhabitants of Donostia-SanSebastián. In: E. Shohamy, E. Ben-Rafael, and M. Barni (eds.) *Linguistic landscape in the city*, Bristol: Multilingual Matters, 219-234.

Figure 2: Extract of the Journal of the Basque Country Authority, 2022/153 in Basque language

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www.euskadi.eus 2022ko abuztuaren 10a, asteazkena 153. zk.

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EBAZPENA, 2022ko uztailaren 20koa, Universidad del País Vasco / Euskal Herriko Unibertsitateko errektorearena, ikertzaile doktore iraunkorraren plaza betetzeko lehiaketarako deia egiteko dena. 3562

BESTELAKO XEDAPENAK

LAN ETA ENPLEGU SAILA
AGINDUA, 2022ko uztailaren 26koa, Jaurkitzako bigarren lehendakariorde eta Lan eta Enpleguko sailburuarena, zeinaren bidez onartzen baitira Euskal Autonomia Erkidegoko gizarte-ekonomiako enpresa eta erakundeetan elkarte-egiturak finkatzeko laguntzen deialdirako oinarriak eta horren deialdia egiten baita 2022. urterako. 3563

Source: Authors' snapshot of Basque Government (2022). Journal of the Basque Country Authority, 2022/153. Retrieved from https://www.euskadi.eus/y22-bopv/eu/bopv2/datos/2022/08/e22_0153.pdf

Figure 3: Bilingual traffic sign near Bilbao



Source: Erasmusu. (n/a). Bilbao, first impressions. Retrieved from <https://erasmusu.com/en/erasmus-bilbao/erasmus-blog/bilbao-first-impressions-612293>

Annex 12 – In the case of Switzerland

Figure 1: Languages in Switzerland: the multilingual alpine nation



Source: Gayatri Bhaumik. Retrieved from <https://www.expatica.com/ch/education/language-learning/languages-in-switzerland-107845/>

Figure 2: Signs in Switzerland using the country's three official languages



Source: Author/credit: Wirat Suandee / Shutterstock.com. Retrieved from <https://www.worldatlas.com/articles/languages-spoken-in-switzerland.html>

Figure 3: Languages in Switzerland: the multilingual alpine nation



Source: Author/credit: Petr Pohudka. Retrieved from <https://www.expatica.com/ch/education/language-learning/languages-in-switzerland-107845/>



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