

Appendix 4: COMEX Report – Executive Summary

The European Charter for Regional or Minority Languages

Fifth report by the Committee of Experts in respect of the United Kingdom

In accordance with Article 16, paragraph 3 of the Charter, the Committee of Experts of the European Charter for Regional or Minority Languages submits its fifth report on the application of the Charter in the United Kingdom to the Committee of Ministers. The report contains proposals for recommendations to be addressed by the Committee of Ministers to the United Kingdom. The United Kingdom Government has been given the opportunity to comment on the content, in accordance with Article 16, paragraph 3 of the Charter.

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making recommendations for improving its legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a Party is required to submit to the Secretary General. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned. The periodical report shall be made public by the State in accordance with Article 15, paragraph 2.

The Committee of Experts' role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee of Experts gathers information from the respective authorities and from independent sources within the State, in order to obtain a fair and just overview of the real language situation. After a preliminary examination of a periodical report, the Committee of Experts submits, if necessary, a number of questions to each Party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an on-the-spot visit by a delegation of the Committee of Experts to the State in question. During this visit the delegation meets bodies and associations whose work is closely related to the use of

the relevant languages, and consults the authorities on matters that have been brought to its attention. This information-gathering process is designed to enable the Committee of Experts to evaluate more effectively the application of the Charter in the State concerned.

Having concluded this process, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective State Party for possible comments within a given deadline. Subsequently, the evaluation report is submitted to the Committee of Ministers, together with suggestions for recommendations that, once adopted by the latter, will be addressed to the State Party. The full report also contains the comments which the authorities of the State Party may have made.

Executive Summary

The European Charter for Regional or Minority Languages entered into force in the United Kingdom in 2001 and applies to the following languages: Cornish, Irish, Manx Gaelic, Scots, Scottish Gaelic, Ulster Scots and Welsh.

The Committee of Experts has observed considerable progress in the implementation of the Charter in the United Kingdom. Institutions and many public services in Wales and Scotland have issued their own language strategies on the use of Welsh and Scottish Gaelic respectively. The governmental structure, based on devolved competences, makes it possible to plan and organise regional or minority language education, funding of cultural activities and encouragement of the use of these languages at the level closest to the citizens. However, responsibility for the Cornish language is not yet devolved, which hampers the ability to act for the promotion of this language.

The Northern Ireland Assembly has so far not reached a consensus on the adoption of an Irish Language Act. However, the Committee of Experts considers the adoption of such legislation as essential to free the promotion of Irish from political tensions.

In practice, the use of minority languages in education largely depends on the local authorities' ability and willingness to finance education in or of the minority language. Language strategies and devolved administrations encourage minority language-medium and minority language education in almost all territories covered by the Charter. Immersion programmes exist for Irish, Scottish Gaelic and Welsh. Cornish, Manx Gaelic, Scots and Ulster Scots are taught most frequently only in 'taster' classes where merely basic phrases or vocabulary are learnt. The Committee of Experts has seen evidence of an impressive and enthusiastic revival of Manx Gaelic in the Isle of Man.

The amendment of the BBC Royal Charter and of the complemented Framework Agreement as well as the co-operation with the devolved administrations have stabilised the financing of broadcasting in Welsh and Scottish Gaelic. These languages are now well served in terms of both radio and television. Broadcasting in

Cornish, Manx Gaelic, Scots and Ulster Scots needs to be developed with a view to effectively contributing to the promotion of these languages. Similarly, there is a lack of newspapers in all regional or minority languages.

The use of Welsh and Scottish Gaelic by local authorities has further expanded. The use of Welsh at governmental level is an everyday practice. For Scottish Gaelic, further steps need to be taken in the field of teacher training.