Amendment 1
Mara Bizzotto, Mario Borghezio, Angelo Ciocca, Danilo Oscar Lancini, Giancarlo Scottà, Marco Zanni
on behalf of the ENF Group

Report
József Nagy
Minimum standards for minorities in the EU
(2018/2036(INI))

Motion for a resolution (Rule 170(3) of the Rules of Procedure) replacing non-legislative motion for a resolution A8-0353/2018

European Parliament resolution on minimum standards for minorities in the EU

The European Parliament,

– having regard to Articles 2 and 3(3) of the Treaty on European Union (TEU),
– having regard to Articles 21 and 22 of the Charter of Fundamental Rights of the European Union,
– having regard to the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the UN Declaration on the Rights of Indigenous Peoples,
– having regard to the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948,
– having regard to the Council of Europe’s Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages,
– having regard to Resolution 1985 of the Council of Europe Parliamentary Assembly, adopted in 2014, on the situation and rights of national minorities in Europe,
– having regard to Resolution 2196 of the Council of Europe Parliamentary Assembly, adopted in 2018, on the protection and promotion of regional or minority languages in Europe,
– having regard to Resolution 424 of the Council of Europe’s Congress of Local and Regional Authorities, adopted in 2017, on regional and minority languages in Europe today,
– having regard to Recommendation 1201 of the Council of Europe Parliamentary Assembly, adopted in 1993, for an additional protocol on the rights of minorities to the European Convention on Human Rights,
having regard to its resolution of 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member States¹,

having regard to its resolution of 11 September 2013 on endangered European languages and linguistic diversity in the European Union²,

having regard to the activities and findings of the Intergroup for Traditional Minorities, National Communities and Languages of the European Parliament,

having regard to Rule 52 of its Rules of Procedure,

A. whereas the fundamental rights of persons belonging to national or linguistic minorities are an integral part of human rights, which are universal, indivisible and independent; whereas protecting and promoting such rights is essential for peace, security, territorial and social cohesion and stability and for promoting tolerance, mutual respect, understanding and cooperation among all persons living on a given territory;

B. whereas the EU is a mosaic of cultures, languages, religions, traditions and history, forming a community of diverse citizens united by their common core values; whereas this richness of Europe is not a given and should be protected and nurtured;

C. whereas approximately 8% of EU citizens belong to a national minority and approximately 10% speak a regional or minority language; whereas, however, several regional or minority languages still do not enjoy any legal recognition by the Member States in which they are spoken;

D. whereas the protection of the fundamental rights of persons belonging to national or linguistic minorities can help build a sustainable future for Europe and contribute to guaranteeing respect for the principles of dignity, equality and non-discrimination; whereas the benefits are not limited to such minorities, since this protection and promotion will bring stability, economic development and prosperity to all;

E. whereas the EU Treaties, following the approach of international law, do not define the term ‘minorities’, which gives rise to legal ambiguity; whereas, however, international law does not consider immigrants as a national or linguistic minority;

F. whereas the Charter of Fundamental Rights of the European Union made the notion of ‘national minorities’ a term of EU law; whereas Article 21 of the Charter explicitly underlines that discrimination is prohibited;

G. whereas the Framework Convention for the Protection of National Minorities (FCNM) and the Language Charter are major achievements of the international minority protection system and important international standard-setting tools for States Parties; whereas the effect of the agreements concerned is weakened by a slow ratification process, by the reservations entered by the Parties and by a lack of powers of scrutiny, which makes them dependent on the goodwill of states; whereas the systematic non-

² OJ C 93, 9.3.2016, p. 52.
implementation of judgments, decisions and recommendations also leads to a normalisation of non-compliance with the two international instruments;

H. whereas best practices already in use in Member States should be taken into account when developing minimum standards to protect the rights of persons belonging to national or linguistic minorities, as in Italy (South Tyrol) or Germany (Schleswig-Holstein);

I. whereas the rights of persons belonging to national or linguistic minorities are guaranteed by both multilateral and bilateral international agreements and are enshrined in the constitutional systems of many Member States, and respect for them is an important prerequisite for assessing the rule of law;

J. whereas the motto of the European Union is ‘United in diversity’, as adopted in 2000 and underlining respect for national and linguistic diversity as one of the founding values of the European Union;

K. whereas languages are an integral part of a people’s identity and the most direct expression of its culture; whereas respect for linguistic diversity is a fundamental value of the EU, as laid down in, for instance, Article 22 of the Charter, and in the preamble to the TEU, which refers to ‘drawing inspiration from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law’;

L. whereas linguistic diversity is an important part of a region’s cultural wealth; whereas at least 40 to 50 million people in the EU speak one of its regional or minority languages, many of which are at serious risk; whereas the decline of minority languages is perceptible across Europe; whereas regional or minority languages which have no official status are even more exposed to the risk of extinction;

M. whereas all regional and minority languages should be awarded official status;

N. whereas linguistic and national identity are important values, and neither excludes the other; whereas the national legislative systems of several Member States display significant gaps with regard to national or linguistic minorities, and sometimes a low level of symmetry;

O. whereas Europe’s cultural heritage is rich and diverse; whereas cultural heritage enriches the individual lives of citizens; whereas Article 3 of the TEU affirms that ‘the Union shall respect its rich cultural and linguistic diversity, and shall ensure that Europe’s cultural heritage is safeguarded and enhanced’; whereas ‘persons belonging to minorities that have been living in Europe for centuries’ contribute to this rich, unique and diverse heritage and are an integral part of Europe;

P. whereas there are high discrepancies across Member States in the recognition of national or linguistic minorities and the respect of their fundamental rights;

Q. whereas effective equality means guaranteeing national or linguistic minorities the
enjoyment of their fundamental rights, such as the right to identity, language use and education, and cultural and citizenship rights etc., on a par with the majority;

R. whereas there is considerable room for improvement of the way in which the protection of national or linguistic minority rights is effectively put into place in the Member States; whereas the legitimacy of the democratic institutions is based on participation and representation of all groups in society, including persons belonging to national or linguistic minorities;

1. Recalls that within existing international standards every Member State has a right to define persons belonging to national or linguistic minorities;

2. Recalls that Member States have an obligation to guarantee their respective national or linguistic minorities the full enjoyment of their human rights;

3. Recalls that there is no common EU standard for minority rights in the EU, nor a common understanding of who can be considered a person belonging to a minority; notes that there is no definition of minorities in the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, nor in the FCNM; underlines the need to protect all national or ethnic and linguistic minorities; recommends that, with respect to the principles of subsidiarity, proportionality and non-discrimination, a definition of a ‘national minority’ should be based on the definition laid down in Recommendation 1201 of the Council of Europe Parliamentary Assembly (1993) for an additional protocol on the rights of minorities to the European Convention on Human Rights, i.e. a group of persons in a state who:

- reside on the territory of that state and are citizens thereof;
- maintain long-standing, firm and lasting ties with that state;
- display distinctive ethnic, cultural, religious or linguistic characteristics;
- are sufficiently representative, although smaller in number than the rest of the population of that state or of a region of that state;
- are motivated by a concern to preserve together that which constitutes their common identity, including their culture, their tradition, their religion or their language;

4. Calls on the Member States to ensure that their legal systems guarantee that persons belonging to a national or linguistic minority are not discriminated against, and to take and implement targeted protection measures;

5. Encourages the Member States to safeguard the right of persons belonging to national or linguistic minorities to preserve, protect and develop their own identity, and to take the necessary steps to promote the effective participation of such minorities in social, economic and cultural life and in public affairs;

6. Invites the Member States to ratify the FCNM and the Language Charter and to fully respect the principles laid down in those documents; calls on the Member States and the
Commission to refrain from acts that go against those principles; stresses that the EU
and the Member States must refrain from adopting laws and administrative measures
that weaken or derogate from the rights of persons belonging to national or linguistic
minorities;

7. Reaffirms that indigenous people, in the exercise of their rights, should be free from
discrimination of any kind and have the right to the dignity and diversity of their
culture, traditions, histories and aspirations, which must be appropriately reflected in
education and public information; encourages those Member States that have not yet
done so to ratify the Indigenous and Tribal Peoples Convention (ILO Convention No
169) and to implement it in good faith;

8. Stresses that it is necessary to respect and promote the rights of persons belonging to
national and linguistic minorities, including the right to freely express, preserve and
develop their cultural or linguistic identity, in keeping with the identity, values and
principles of the country in which they live; encourages the Member States to promote
regular monitoring of the linguistic and cultural diversity of these people;

9. Encourages the Member States to continue supporting and funding the collection of
reliable and robust equality data, in consultation with minority representatives, in order
to measure inequalities and discrimination; calls for effective EU-wide monitoring of
the situation of national and ethnic minorities; considers that the EU Agency for
Fundamental Rights (FRA) should carry out enhanced monitoring of discrimination
against national and ethnic minorities in Member States;

10. Recognises the important role of civil society in promoting the identity and cultural
heritage of national and linguistic minorities; encourages the Commission and the
Member States to promote sufficient funding and support in this regard;

11. Stresses that Member States should promote friendly and stable relationships between
each other, and encourages them to maintain an open and supportive dialogue with
neighbouring countries, especially in border regions where cross-border languages and
cultures may be present;

12. Encourages the Commission and the Member States to promote all peaceful forms of
manifestation of national or linguistic minority cultures; encourages the Member States
to include the history of their respective national and ethnic minorities and to promote a
culture of tolerance in their schools as part of their curricula; encourages the Member
States to ensure that the history and fundamental rights of people belonging to national
or linguistic minorities are mainstreamed as components of their national education
system where these minorities are actually settled;

**National and ethnic minorities**

13. Notes that national and ethnic minorities are groups of persons belonging to minorities
who have been living on the same territory and sharing a common identity, in some
instances as a result of border changes, in others as a result of living in an area for a
long time, whereby they have managed to preserve their identity; calls on the
Commission and the Member States to protect the cultural and linguistic identity of
national and ethnic minorities, and to create conditions for the promotion of that identity; points to the important role that regional and local authorities in the EU can play in protecting national and ethnic minorities, and considers that administrative reorganisation and territorial redistricting must not have negative consequences for them; encourages Member States to provide financial resources for the implementation of minority rights from the central budget, so as not to burden local budgets;

14. Encourages the Commission and the Member States to guarantee equal opportunities for national and ethnic minorities to participate in political and social life; encourages Member States to adopt electoral systems and laws facilitating the representation of national and ethnic minorities;

15. Encourages the Commission and the Member States to carry out a coherent analysis of their respective existing policies, in order to clarify strengths and challenges and to secure compliance with the rights of national and ethnic minorities;

Cultural rights

16. Stresses that cultural activities are essential areas for preserving the identity of national and ethnic minorities, and that the preservation of the traditions of minorities and the expression of artistic values in the mother tongue are particularly important when it comes to preserving European diversity; notes that maintaining the cultural heritage of national and linguistic minorities is a common interest of the EU and the Member States; encourages the Commission and the Member States to support, enhance and promote the cultural rights of such minorities;

17. Recalls that an understanding of what is meant by ‘culture’ is essential in order to define the scope of national and linguistic minority rights in this respect; notes that, in a broad sense, culture amounts to the sum total of the material and non-material activities and achievements of a given people and to that which distinguishes it from others; stresses that cultural rights should include the right to participate in cultural life, the right to enjoy culture, language rights, and the protection of cultural and scientific heritage;

18. Encourages the Commission and the Member States to recognise the contribution of national and ethnic minorities to the cultural heritage of the Union, to reinforce dialogue with the representatives of and persons belonging to minorities, and to identify and implement coordinated policies and actions for the sustainable management of the preservation and development of their culture; encourages the Member States to guarantee an adequate degree of institutionalisation of practices on the national level so as to protect cultural rights;

19. Encourages the Commission and the Member States to involve and support national and ethnic minorities and persons belonging to them in fostering knowledge and skills which are necessary in order to safeguard and sustainably manage and develop cultural heritage and which should be handed down to future generations; encourages the Commission and the Member States to establish and maintain substantive cultural funds for persons belonging to minorities, at both horizontal and vertical levels, in order to ensure effective, transparent and equitable support for the cultural life of national and linguistic minorities;
20. Highlights the fact that the media play a central role with regard to cultural and linguistic rights; recalls that the ability to access, receive and publish information and content in a language one can fully understand and communicate in is a precondition for equal and effective participation in public economic, social and cultural life; notes in this regard that special attention must be paid to the needs of persons belonging to national and ethnic minorities living in border, rural and remote areas; expresses concern over the underfunding of media outlets that publish or broadcast in regional or minority languages; encourages the Commission and the Member States to provide appropriate funding to organisations or media outlets representing minorities in order to contribute to the preservation of minorities’ cultural identities and enable them to share their views, language and culture with the majority;

21. Calls on the Commission and the Member States to ensure that the media can operate independently, to promote the use of minority languages in media, and to take into account national and ethnic minorities when licensing media services, including assigning TV and radio broadcasters; calls on the Commission and the Member States to provide appropriate funds to organisations representing minorities, with a view to fostering their sense of belonging to and identification with their respective minority groups, as well as to bringing their identities, languages, histories and cultures to the attention of the majority;

22. Recalls the fundamental role of the public media in promoting such content, particularly in the context of democratic scrutiny by local or regional authorities; encourages the Commission to create the legal and regulatory conditions to ensure freedom of service, passage and reception of audiovisual content in regions where minorities live, so that they can watch and listen to content in their mother tongue, with the latter being broadcast cross-border without being geoblocked;

23. Encourages the Member States to refrain from political and legal acts and policies that aim to prescribe restrictive measures, such as subtitling and/or translation obligations and mandatory quotas for programmes in official languages; encourages the Commission and the Member States to enable and promote the presence of regional or minority-language media, also on online interfaces; calls on the Commission and the Member States to ensure appropriate funding or grants for organisations and media representing national and ethnic minorities, in view of their regional specificities and needs;

24. Calls on the Member States, in light of the European Year of Cultural Heritage, to enhance and promote their national and linguistic minority cultures, thereby encouraging the dissemination of their history and traditions and ensuring that the peoples concerned do not remain isolated;

**Right to education**

25. Notes that education has a key role in socialisation and identity development and remains the main tool to revitalise and maintain endangered minority languages; stresses that every person belonging to a national minority has the right to education in a minority language; stresses that the continuity of mother-tongue education is vital to the preservation of cultural and linguistic identity; notes that when it comes to minority
language education there is no one single best-practice model that is suitable for all national and ethnic minorities; notes the need for special attention to be paid to people using sign language;

26. Recalls that Article 14 of the Council of Europe Framework Convention for the Protection of National Minorities recommends that the States Parties endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to national minorities have adequate opportunities to be taught the minority language concerned or to receive instruction in that language, without prejudice to the learning of the official language or to teaching in that language;

27. Encourages the Commission and the Member States in their further actions to create suitable tools for achieving promotion and support of the official use of languages spoken by national and ethnic minorities in the territories where they live, at local or regional level and in conformity with the principles of the FCNM and the Language Charter, while ensuring that the protection and encouragement of the use of regional and minority languages is not to the detriment of the official languages and the obligation to learn them;

28. Expresses its regret that some Member States have not yet ratified the Language Charter and that even so, some of those which have ratified it do not implement it effectively; is disappointed by the fact that in some Member States existing rights are either not implemented or flouted outright;

29. Encourages the Commission and the Member States to ensure that, in line with international norms, persons belonging to national and ethnic minorities have their rights guaranteed and adequate opportunities ensured as regards receiving education in a minority language as well as instruction in their mother tongue, in both public and private educational institutions; encourages the Member States to formulate appropriate education policies and to implement those which are best suited to the needs of national and ethnic minorities, including through specific educational programmes or through special curricula and textbooks; encourages the Member States to provide funding for teacher training in order to ensure effective instruction in minority languages, and to incorporate best practices in teaching foreign languages into the methodology for teaching official languages when it comes to curricula for schools which provide education in a minority language; stresses that Member States should promote the teaching of both the regional or minority languages and the official language using appropriate methods;

30. Encourages Member States to ensure that those who speak a regional or minority language as their mother tongue have the opportunity to learn the official language sufficiently, by incorporating good practice from the teaching of foreign and second languages into the methodological approach adopted for teaching the official language of the state;

31. Stresses that those belonging to minorities should also learn the language, history and culture of the majority population, and that pupils belonging to the majority population, as well as the general public, should be made acquainted with the history and culture of minorities and given the opportunity to learn minority languages;
32. Encourages the Member States to promote the production of textbooks that meet the requirements of the speakers of regional or minority languages, or, should that prove impossible, facilitate the use of textbooks from other countries published in those languages, in cooperation with the educational regulatory bodies of the countries where the languages concerned are used;

33. Emphasises the importance of mother-tongue higher education and of training specialists with knowledge of specific terminology, especially in regions having large numbers of speakers of the language concerned; highlights the critical need to instruct medical doctors in minority languages;

34. Encourages Member State governments to include national and linguistic minority representatives in deliberations on the organisation of their education systems;

35. Encourages the Member States to define preferential thresholds for the learning of regional or minority languages, so as to ensure equity in education; encourages the Commission and the Member States to promote the right of people belonging to national or ethnic minorities living in areas with substantial numbers of such minorities, including rural areas or areas with widely scattered settlements, to receive education in a minority language, notably in their mother tongue, if there is sufficient demand; calls on the Commission and the Member States to ensure that educational reforms and policies do not restrict the right to receive education in a minority language;

36. Encourages the Commission and the Member States to promote the availability of integrated support at a vertical level for minority and regional languages in education systems, specifically by creating, in Member State education ministries as well as within the Commission, units responsible for incorporating minority and regional language education in school curricula; encourages Member States to promote a continuous learning line for minority languages, from pre-school to tertiary education;

37. Stresses that the training of teachers and access to textbooks and learning material of good quality are essential preconditions for ensuring quality education for students; considers that curricula, educational materials and history textbooks should provide a fair, accurate and informative portrayal of the societies and cultures of national and linguistic minorities; notes that a widely recognised problem regarding minority language education that needs to be addressed is the insufficient availability of high-quality teaching materials and properly skilled minority language teachers; notes that the multidimensional teaching of history should be a requirement in all schools, whether in minority or majority communities; notes the importance of developing teacher training in order to fit with teaching needs at different levels and in different types of school;

38. Underlines that teaching minority languages contributes to mutual understanding between majorities and minorities and brings communities closer together; encourages Member States to apply positive measures in order to ensure the proper representation of linguistic minorities in education, as well as in public administration and executive agencies at national, regional and municipal levels;

39. Encourages the Commission to strengthen the promotion of programmes focused on the
exchange of experiences and best practices concerning education in regional and minority languages in Europe; calls for the EU and the Commission to put greater emphasis on regional and minority languages in the future generation of the Erasmus+, Creative Europe and Europe for Citizens programmes under the new multiannual financial framework (MFF);

40. Deeply regrets the fact that in some Member States pupils belonging to linguistic minorities are not integrated in mainstream educational establishments but are placed in special schools on the grounds that they are not sufficiently proficient in the language of instruction; recalls that education in a minority language or the fact of belonging to any particular minority cannot be used as an excuse to segregate children on grounds of identity; calls on the Member States to refrain from such segregation and to take adequate measures to enable such pupils to attend classes in mainstream schools; encourages Member States to consider the introduction of topics on fundamental national and linguistic minority rights in particular in the school curricula, as a means of promoting cultural diversity and tolerance through education;

**Language rights**

41. Notes that language is an essential aspect of cultural identity and the human rights of minorities; stresses the need to promote the right to use a minority language, both in private and in public and without discrimination, in areas where there are substantial numbers of persons belonging to minorities, to ensure that languages can be passed on from one generation to the next, and to protect linguistic diversity within the Union; calls on the Commission to strengthen its plan to promote the teaching and use of regional languages, as a potential means of tackling language discrimination in the EU, and to promote linguistic diversity; recalls that promoting knowledge of minority languages by people who are not members of the minority concerned is a way to foster mutual understanding and recognition;

42. Stresses that in its resolution of 11 September 2013 Parliament recalled that the Commission should pay attention to the fact that, with their policies, some Member States and regions are endangering the survival of languages inside their borders, even if those languages are not in danger in the European context; calls on the Commission to examine the administrative and legislative obstacles that exist to the practice of the languages concerned;

43. Notes that in addition to its 24 official languages, the EU is home to dozens of other languages which are also part of its cultural and linguistic heritage and which are spoken in specific regions or by specific groups by at least 40 million people; notes that the multilingualism of the European Union is unique at the level of international organisations; notes that the principle of multilingualism is enshrined in the Charter of Fundamental Rights of the European Union, which obliges the EU to respect linguistic diversity and to support Europe’s rich linguistic and cultural heritage by promoting language learning and linguistic diversity;

44. Encourages the Commission and the Member States to allow and promote, in the context of administrative authorities and public service organisations, the use of regional or minority languages in practice, in line with the principle of proportionality,
e.g. in relations between private individuals and organisations on the one hand, and public authorities on the other; encourages Member States to make information and public services available in these languages, including on the internet, in areas with substantial numbers of people belonging to national and ethnic minorities;

45. Encourages the Member States to foster access to minority and regional languages by means of funding and support for translation, dubbing and subtitling activities and the codification of appropriate and non-discriminatory terminology in the administrative, commercial, economic, social, technical and legal registers;

46. Encourages regional and municipal authorities in the areas concerned to ensure the use of regional and minority languages; encourages Member States to use as guidelines the good practices already existing at national level;

47. Encourages the Commission and the Member States to promote the use of regional or minority languages at local and regional level; with this aim in mind, actively encourages regional and municipal authorities to ensure the use of the languages concerned in practice;

48. Encourages the Commission and the Member States to ensure that in areas with substantial numbers of inhabitants belonging to national or linguistic minorities, safety and security marking and labelling, important mandatory instructions and public announcements of import to citizens, whether provided by the authorities or the private sector, as well as place names and topographical designations, are written in their correct form and are available in the languages commonly used in a given region, including on signs indicating entry into or exit from urban areas and on all other road signs providing information;

49. Notes that the visual representation of regional and minority languages – road signs, street names, the names of administrative, public and commercial institutions, etc. – is essential to promoting and protecting national and ethnic minority rights, as it reflects, and contributes to, the vital use of regional and minority languages, encouraging persons belonging to national and ethnic minorities to use, preserve and develop their specific linguistic identity and language rights, express their multi-ethnic local identity, and strengthen their sense of ownership as members of groups living in a local or regional community;

50. Calls on the Member States to refrain from or abolish legal practices that impede the accession of national and linguistic minorities to the full spectrum of professions exercised in a given state; calls on the Member States to guarantee adequate access to legal and judicial services; stresses that representatives of such minorities should be explicitly informed regarding the procedures to be followed under national law where their fundamental rights as persons belonging to such a minority have been violated;

51. Encourages the Member States to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to their official recognition;

52. Encourages the Commission and the Member States to take action to remove
administrative and financial obstacles that could hinder linguistic diversity at European and national level and impede the enjoyment and implementation of the language rights of persons belonging to national and ethnic minorities; urges the Member States to put an end to linguistically discriminatory practices;

53. Instructs its President to forward this resolution to the Council, the Commission, the European Union Agency for Fundamental Rights, the governments and parliaments of the Member States and the candidate countries, the OSCE, the OECD, the Council of Europe and the United Nations.