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## TEXTS ADOPTED

*Provisional edition*

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### **P9\_TA-PROV(2020)0370**

#### **European Citizens' Initiative - Minority SafePack**

**European Parliament resolution of 17 December 2020 on the European Citizens' Initiative 'Minority SafePack – one million signatures for diversity in Europe' (2020/2846(RSP))**

*The European Parliament,*

- having regard to the European Citizens' Initiative 'Minority SafePack – one million signatures for diversity in Europe' (ECIXXXX),
- having regard to the Treaty on European Union (TEU), and in particular Articles 2, 3(3) and 11(4) thereof,
- having regard to the Treaty on the Functioning of the European Union (TFEU), and in particular Articles 19, 24, 53(1), 63, 79(2), 107(3)(e), 108(4), 109, 118, 165(4), 167(5), 173(3), 177, 178 and 182(1) thereof,
- having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European Citizens' Initiative<sup>1</sup> ('the ECI Regulation'),
- having regard to the Charter of Fundamental Rights of the European Union ('the Charter'), and in particular to Articles 10, 21, 22 and 51 thereof,
- having regard to the European Council conclusions of 21-22 June 1993 which established the requirements a country must fulfil in order to be eligible to join the European Union (the Copenhagen criteria),
- having regard to Article 27 of the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights, both of which were adopted by the UN General Assembly on 16 December 1966,
- having regard to the Council of Europe Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, as well as the opinions of the relevant monitoring bodies,
- having regard to the 1990 Copenhagen Document of the Organization for Security and

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<sup>1</sup> OJ L 130, 17.5.2019, p. 55.

Co-operation in Europe (OSCE) and to the numerous thematic recommendations and guidelines on minority rights issued by the OSCE High Commissioner on National Minorities and the OSCE Office for Democratic Institutions and Human Rights (ODIHR),

- having regard to its resolution of 13 November 2018 on minimum standards for minorities in the EU<sup>1</sup>,
  - having regard to its resolution of 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member States<sup>2</sup>,
  - having regard to its resolution of 11 September 2018 on language equality in the digital age<sup>3</sup>,
  - having regard to its resolution of 11 September 2013 on endangered European languages and linguistic diversity in the European Union<sup>4</sup>,
  - having regard to the Council Recommendation of 22 May 2019 on a comprehensive approach to the teaching and learning of languages<sup>5</sup>,
  - having regard to the decisions and case law of the Court of Justice of the European Union (CJEU), in particular case T-646/13 (*Minority SafePack – one million signatures for diversity in Europe v Commission*)<sup>6</sup>, and case T-391/17 (*Romania v Commission*)<sup>7</sup>;
  - having regard to Commission Decision (EU) 2017/652 of 29 March 2017 on the proposed citizens’ initiative entitled ‘Minority SafePack — one million signatures for diversity in Europe’<sup>8</sup>,
  - having regard to the public hearing of 15 October 2020 on the Minority SafePack European Citizens’ Initiative organised by the Committee on Culture and Education, the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Petitions,
  - having regard to the proposal of the Minority SafePack European Citizens’ Initiative (ECI) with regard to the legislative acts expected from the Commission based on the ECI, put forward to the Commission after the submission of the signatures and presented at Parliament during the public hearing,
  - having regard to Rule 222(8) of its Rules of Procedure,
- A. whereas pursuant to Article 2 TEU, the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human

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<sup>1</sup> OJ C 363, 28.10.2020, p. 13

<sup>2</sup> OJ C 463, 21.12.2018, p. 21.

<sup>3</sup> OJ C 433, 23.12.2019, p. 42.

<sup>4</sup> OJ C 93, 9.3.2016, p. 52.

<sup>5</sup> OJ C 189, 5.6.2019, p. 15.

<sup>6</sup> ECLI:EU:T:2017:59.

<sup>7</sup> ECLI:EU:T:2019:672.

<sup>8</sup> OJ L 92, 6.4.2017, p. 100.

rights, including the rights of persons belonging to minorities;

- B. whereas Article 3(3) TEU states that the Union's aim is to promote economic, social and territorial cohesion and solidarity among Member States, as well as to respect its rich cultural and linguistic diversity and ensure that Europe's cultural heritage is safeguarded and enhanced;
- C. whereas Article 6 TFEU recognises that the EU has competences in the fields of culture and education to carry out actions to support, coordinate or supplement the actions of the Member States; whereas the Commission should engage actively with the Member States in these policy fields, which are also of major concern for persons belonging to minorities;
- D. whereas according to Article 10 TFEU, the Union must aim to combat discrimination based among others on racial or ethnic origin in defining and implementing its policies and activities;
- E. whereas Article 21(1) of the Charter states that any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation, shall be prohibited;
- F. whereas Article 22 of the Charter states that the Union shall respect cultural, religious and linguistic diversity;
- G. whereas respect for cultural diversity is enshrined in Article 167 TFEU;
- H. whereas approximately 8 % of EU citizens belong to a national minority and approximately 10 % speak a regional or minority language; whereas they represent an essential element of the cultural wealth of the Union through their unique languages and cultures;
- I. whereas the general concept of minorities in Europe is covered by a wide range of terms in legal and academic language; whereas these social groups are often interchangeably referred to as national minorities, ethnic groups, traditional or autochthonous minorities, nationalities, inhabitants of constitutional regions, linguistic minorities, groups speaking lesser-used languages, language groups etc.; whereas in order to bypass the difficulty of carrying over the variety of terms used across Europe, the Council of Europe in its Framework Convention on the Protection of National Minorities, which still represents the highest international standard for minority protection in Europe, uses the term 'national minority'; whereas the Minority SafePack ECI uses the term 'national and linguistic minorities' when referring to such minority groups;
- J. whereas most national and linguistic minorities face an accelerating trend of assimilation and language loss, which translates into a linguistic and cultural impoverishment within the EU and the loss of its diversity, something the EU is called required protect under the Treaties; whereas education is the main tool for the revitalisation and preservation of minority languages;
- K. whereas the UNESCO Atlas of the World's Languages in Danger lists 186 languages from EU Member States as vulnerable or in danger and three additional languages as extinct;

- L. whereas the Minority SafePack ECI was submitted to the Commission on 15 July 2013, calling for EU action to support national and linguistic minorities in 11 areas;
  - M. whereas on 13 September 2013, the Commission did not find this sufficiently substantiated to register the ECI; whereas the organisers of the ECI lodged an appeal at the Court of Justice of the European Union (CJEU) and on 3 February 2017, the General Court of the CJEU delivered its judgment annulling the decision of the Commission;
  - N. whereas in order to take the necessary measures to comply with the judgment of the General Court, the Commission reanalysed the legal admissibility of the ECI and through the adoption of Decision (EU) 2017/652, registered the initiative in nine of the 11 areas initially requested;
  - O. whereas in line with Article 15 of the ECI Regulation, the Commission's legal admissibility check is followed by an examination of the substance of the ECI after the successful collection of signatures; whereas the Commission sets out its legal and political conclusions on the ECI based on the EU Treaties;
  - P. whereas in its judgment of 24 September 2019 in Case T-391/17, the General Court of the European Union confirmed the decision of the Commission to register the Minority SafePack ECI;
  - Q. whereas between 3 April 2017 and 3 April 2018, 1 123 422 certified signatures were collected in the EU and the minimum national threshold was reached in 11 Member States;
  - R. whereas the European Citizens' Initiative is the first instrument for transnational participatory democracy in the world, enabling citizens to engage directly with the EU institutions;
  - S. whereas Minority SafePack is the fifth out of only six successful ECIs so far;
  - T. whereas pursuant to Article 14 of Regulation (EU) 2019/788, following the organisation of a public hearing, Parliament must assess the political support for individual ECIs; whereas Parliament held its public hearing on 15 October 2020, in accordance with Article 222 of its Rules of Procedure;
1. Reiterates its strong support for the ECI instrument and calls for the full exploitation of its potential; highlights that the ECI is an exceptional opportunity for citizens to identify and articulate their aspirations and to ask for EU action; stresses that allowing citizens to play an active part in political processes that affect them is essential for bringing the European integration project closer to citizens;
  2. Points out that the new ECI Regulation came into force on 1 January 2020, and that it is of crucial importance that EU and national institutions do everything they can to make the relaunch of this EU participation instrument a success; highlights that the Commission should give due consideration to the requests expressed by over 1.1 million EU citizens through the Minority SafePack ECI;
  3. Recalls that the protection of persons belonging to minorities is an explicit founding value of the EU, together with democracy, the rule of law and respect for human rights,

as set out in Article 2 TEU;

4. Recalls that Article 3(3) TEU provides that the Union must respect its rich cultural and linguistic diversity, and ensure that Europe's cultural heritage is safeguarded and enhanced; stresses that minority languages and cultures are an integral and inalienable part of the Union's culture and heritage; underlines that the Union should encourage actions by Member States to ensure the protection of the rights of persons belonging to minorities;
5. Reiterates its call on the Commission<sup>1</sup> to draw up, in line with the principle of subsidiarity, a common framework of EU minimum standards for the protection of rights of persons belonging to minorities, which are strongly embedded in a legal framework guaranteeing democracy, the rule of law and fundamental rights throughout the EU;
6. Calls on the Member States to take all the necessary measures and to uphold the rights of persons belonging to minorities and ensure that these rights are fully respected;
7. Believes that linguistic rights must be respected in communities where there is more than one official language, without limiting the rights of one group compared with another, in line with the constitutional order of each Member State and its national law; believes that the promotion of regional languages and the protection of language communities should respect the fundamental rights of all persons;
8. Considers that the EU should continue to raise awareness for multilingualism throughout Europe through EU programmes, and actively promote the advantages of multilingualism;
9. Recalls that there is no common definition of who can be considered a person belonging to a national or linguistic minority in the EU; underlines the need to protect all minorities, regardless of definition, and stresses that any definition should be applied in a flexible manner while respecting the principles of subsidiarity, proportionality and non-discrimination;
10. Calls for mutually reinforcing cooperation between the EU and the Council of Europe in the area of protecting the rights of national and linguistic minorities; points out that such cooperation would offer the EU the possibility to build upon the achievements and experience of the Council of Europe while allowing the Council of Europe to increase the effectiveness of the implementation of its recommendations issued in relation to the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages; encourages the Member States to implement and ratify the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages;

### **On the nine ECI proposals**

11. Acknowledges that the protection of national and linguistic minorities is the primary responsibility of the Member States' authorities; points out, however that the Union has a powerful role to play in supporting the Member States' authorities in this endeavour;

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<sup>1</sup> European Parliament Resolution of 13 November 2018 on minimum standards for minorities in the EU (OJ C 363, 28.10.2020, p. 13).

points out that a number of the Member States represent successful examples of respectful and harmonious coexistence of different communities, including in the areas of language and cultural revitalisation policies; calls on Member States to exchange best practices on the protection of and support for the rights of persons belonging to minorities, and calls on the EU to facilitate such exchanges;

12. Is of the opinion that cultural and linguistic identity preservation measures for the benefit of persons belonging to national and linguistic minorities must aim at positive action, including in the areas of education, culture and public services;
13. Expresses its concern about the alarming increase of hate crime and hate speech, motivated by racism, xenophobia or intolerance, directed at persons belonging to national and linguistic minorities in Europe; calls on the Commission and the Member States to launch anti-hate speech campaigns as well as to combat racism and xenophobia towards persons belonging to national and linguistic minorities;
14. Recognises the contribution of national and linguistic minorities to the cultural heritage of the EU and highlights the role of media;
15. Points out that linguistic diversity is a valuable component of Europe's cultural wealth, which should be protected so as to ensure that regional or minority languages can be passed on from one generation to the next; expresses its strong concern about regional or minority languages that are exposed to the risk of extinction; underlines the need to take more action in this area; calls on the Commission and the Member States, therefore, to promote language learning throughout the EU, including the learning of minority languages; notes that the ECI calls for the establishment of a European language diversity centre with the aim of protecting the rich diversity of European languages;
16. Calls on the EU and its Member States to take account of the needs of national and linguistic minorities when designing its funding programmes; considers that the protection of multilingualism and cultural diversity is a motor for regional development and innovation and therefore considers that the European Structural and Investment Funds and Cohesion Funds should take it into account; believes that funding from Horizon Europe for the study of cultural and linguistic diversity and its effect on economic development in the regions of the EU would allow for the better targeting of public policies for national and linguistic minorities;
17. Acknowledges the role of language in culture; is concerned that cultural operators active in regional or minority languages may face an additional challenge in reaching wide audiences and accessing financial and administrative resources; calls on the Member States to take into account regional situations and develop measures to help cultural operators in expressing the freedom of culture, regardless of their linguistic or other specificities;
18. Believes that every EU citizen should be able to enjoy culture and entertainment in his or her own language; points out that linguistic minorities are often too small or lack the institutional support to build up a comprehensive system of media services of their own; calls on the Commission in this regard to make an assessment and take the most appropriate measures to support the development of such media services; notes that since the submission of the Minority SafePack ECI to the Commission in 2013,

essential copyright and audiovisual media services-related proposals have already adopted by the co-legislators; acknowledges the recently adopted Commission communication on the first short-term review of the Geo-blocking Regulation (COM(2020)0766), in which the Commission proposes a detailed stock-taking exercise for 2022, by when the full effects of the regulation will have become apparent; welcomes the Commission's plan to engage in a dialogue with stakeholders on audiovisual content as part of its media and audiovisual action plan; stresses the need to ensure that minority language concerns are taken into consideration in future regulations;

19. Points out that a large number of stateless people in the European Union belong to national and linguistic minorities; considers that, taking due account of the sovereignty and competences of Member States, positive measures could be and are being taken in this regard; points out that granting or withdrawing citizenship is a national competence;
20. Expresses its support for the European Citizens' Initiative 'Minority SafePack – one million signatures for diversity in Europe'; calls on the Commission to act on it and to propose legal acts based on the Treaties and the ECI Regulation, and in accordance with the principles of subsidiarity and proportionality; points out that the initiative registered by the Commission calls for legislative proposals in nine distinct areas and recalls the request within the initiative that each individual proposal be verified and assessed on its own merit;
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21. Instructs its President to forward this resolution to the Commission, the Council, the European Union Agency for Fundamental Rights and the governments and parliaments of the Member States.