



www.protokoloa.eus

Hizkuntza
Eskubideak
Bermatzeko
Protokoloa

**Protocol
to Ensure
Language
Rights**





Protocol to Ensure Language Rights

*« Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, **language**, religion, political or other opinion, national or social origin, property, birth or other status»*

UNIVERSAL DECLARATION OF HUMAN RIGHTS, Article 2

INTRODUCTION

Language rights must certainly be included among these basic human rights. Languages are for communication, but languages cannot be situated in the communicative dimension alone, since languages cannot be separated from cultures. When the connection between languages and cultures is denied, the dignity of speakers and citizens is left out of consideration. Thus, supporting linguistic diversity forms a part of defending the rights of everyone. For that reason, this document will also open up a channel that can contribute to social well-being and peaceful coexistence, because working towards the democratic treatment of language communities is one way of ensuring that all human rights are respected.

All languages are the expression of a collective identity and of a distinct way of perceiving and describing reality and must therefore be able to enjoy the conditions required for their development in all functions. All languages are collectively constituted and are made available within a community for individual use as tools of cohesion, identification, communication and creative expression. For that reason the signatories of this document think that all language communities have the right to organise and manage their own resources so as to ensure the use of their language in all functions within society, and that they are also entitled to have at their disposal whatever means are necessary to ensure the transmission and continuity of their language.

One of Europe's characteristic features has always been language diversity. There is not a single monolingual European state, and diversity is on the increase owing to the movement of people.

But the way language diversity is handled

in Europe varies greatly from place to place, and that is a cause for concern, for if language rights are included among the basic rights and a stand is taken in favour of a fairer Europe based on equality, one of the pillars of its foundation will have to be democratic management of diversity.

The current differences in the ways diversity is managed range from, at one end, of the spectrum, a focus on establishing and maintaining recognition of and support for communities in minority situations, to situations at the opposite extreme where the very existence of communities in minority situations is not acknowledged. Between the two poles, a wide variety of very different policies for managing language diversity can be found across Europe.

Despite the contrasts in policies, there are many similarities between citizen groups everywhere working in support of minoritised language recovery. Notwithstanding differences in languages' circumstances, the best results across the board have been achieved through the involvement of civil society and grass root organisations. Civil society has led the way in the development of projects for creating new speakers of endangered languages. Civil society has led the way in developing projects to create new spaces for speakers of such languages. Civil society has led the way in developing projects to create tools that make it possible to live as a minoritised language speaker. And of course for decades now it has also been civil society which has demanded the right to live each language community in its own language. In short, civil society has campaigned continually in favour of real democracy, and this entitles civil society to determine what steps need to be taken in the future too.

PREAMBLE

On the 17th of December, 2016, in Donostia / San Sebastian, we the signatories of this Protocol, having ratified the basic premises arrived at through a participatory process on the European level,

- *Acknowledging* our acceptance of all the principles laid down by the Universal Declaration of Linguistic Rights approved in 1996 in Barcelona,

- *Accepting* the inclusion of language rights in basic rights and the need to safeguard them as a priority in order to build a more democratic society,

- *Considering* that the signatories of this document have made substantial contributions to the recovery processes of languages in a minority situation in recent years, creating new speakers, creating tools for the language, creating spaces for using the language and acting in accordance with those languages' needs in each case,

- *Noting* that no instrument to recognise the integral nature of, and jointly safeguard, language rights in Europe has been enacted,

- *Mindful* of the absence at present of an effective and unified practical tool created and developed by civil society in Europe to ensure democratic language management,

- *Concerned* that many of Europe's citizens, taking for granted the phenomenon of minoritised groups, are not cognisant of their own language rights,

hereby agree that:

ARTICLE 1: SUBJECTS

The subjects protected by the rights of this Protocol to Ensure Language Rights shall be the same as those covered by the Universal Declaration of Linguistic Rights, the premises and concepts set forth in which are also assumed here. This Protocol takes as its point of departure the principle that language rights are individual and collective at one and the same time. This Protocol considers as a language community any human society established historically in a particular territorial space, whether this space be recognised or not, which identifies itself as a people and has developed a common language as a natural means of communication and cultural cohesion among its members. The term language specific to a territory refers to the language of the community historically established in such a space. In addition, as stated in the Declaration, this Protocol considers as a language group any group of persons sharing the same language which is established in the territorial space of another language community.

This Protocol considers the following to be inalienable personal rights which may be exercised in any situation: the right to be recognised as a member of a language community; the right to the use of one's own language both in private and in public; the right to the use of one's own name; the right to interrelate and associate with other members of one's language community of origin; and the right to maintain and develop one's own culture.

ARTICLE 2: OBJECTIVES

The Protocol to Ensure Language Rights has three main objectives:

- To declare that guaranteeing lan-

guage diversity and ensuring language development are keys to peaceful coexistence.

- To create an effective instrument for language equality and the cultivation of languages in unfavourable situations.
- To ensure that the language community is the actor in this process and assert that society's involvement guarantees fair play.

ARTICLE 3: VALUES

3.1. The Protocol to Ensure Language Rights focus on four main values and principles:

- **Peaceful coexistence:** The Protocol wants to offer an instrument contributing to social well-being and peaceful coexistence, which depend on the conditions in which individuals and social groups live. Peace also depends on respect for the dignity of language communities. Our goal has been to create conditions to enable the concept of *pax linguae*.
- **Diversity:** We support language diversity, understood as a cultural asset of the whole of society. We believe it is everyone's ethical duty to protect that diversity. There exist powerful forces and inertias favouring cultural uniformity of individuals and societies. This amounts to impoverishment, so we think it is important to promote language diversity as a positive value.
- **Equality:** We maintain that all languages in the world are equally valid. At the present time there are great inequalities in their situations, however. Some languages encounter obstacles to their development, and there is a lack of support for equality of all citizens as a basic principle.

- **Rights:** We defend all people's and groups' rights, in line with the statement in the Universal Declaration of Human Rights that all people have the right not to suffer discrimination on account of their language. Thus our goal is consistent with the spirit and letter of the Universal Declaration of Human Rights in recognising the language rights of individuals, groups and whole communities.

3.2. Given the biases and inequalities affecting the conditions of many of Europe's language communities today, we believe that prioritising support for minoritised languages constitutes a step in the direction of greater equality. The only way to promote language diversity is by bringing about social, political and economic conditions conducive to languages' development. In order to bequeath to future generations the richest possible cultural and linguistic heritage, conditions need to be created now to ensure equal opportunities for all individuals and communities.

ARTICLE 4: CIVIL SOCIETY, THE KEY

4.1. We wish to acknowledge the important role played by organised civil society in the area of language communities in Europe. The desire to work towards a more democratic society has driven grassroots organisations to express demands and aspirations which have led to greater public awareness of the issues.

4.2. Throughout Europe, language communities have taken steps to enable people to live their lives in their own languages. There are hundreds of community-based organisations acting in different fields with the goal of supporting minoritised languages. The present document proposes to create a

meeting place where civil society in Europe can take charge of the process of nurturing linguistic diversity.

4.3. Because hundreds of people without any kind of political or institutional affiliation who act on languages' needs constitute symbolic spokespersons for millions of language speakers, the content of this document has emerged from a consensus of social entities who work to support minoritised languages, and that is what confers the greatest validity on the Protocol to Ensure Language Rights.

That being the case, the social entities signing the Protocol to Ensure Language Rights undertake to incorporate the present document into their set of basic aspirations, thereby seeking to ensure a united stand among Europe's social entities.

ARTICLE 5: REFERENCES

5.1. The 1948, Universal Declaration of Human Rights in its preamble expresses its faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women; and in its second article, establishes that everyone is entitled to all the rights and freedoms regardless of, among other things, language.

The Preamble of the Convention for the Protection of Human Rights and Fundamental Freedoms from the Council of Europe expresses that the aim of the Council is the achievement of greater unity between its members and that one of the methods by which that aim is to be pursued is the maintenance and further realisation of human rights. Article 14 of the Convention establishes that the enjoyment of the rights

and freedoms shall be secured without discrimination on any ground such as language.

5.2. We consider the 1996, Universal Declaration of Linguistic Rights of Barcelona to be a continuation of the principles espoused by those two fundamental documents, the premises of which are developed by the Protocol to Ensure Language Rights, which has therefore been drawn up taking the 1996 Declaration as its primary point of reference.

5.3. Furthermore, the indicators proposed in UNESCO'S 2003, "Language Vitality and Endangerment" report have been adopted as a supplementary tool for evaluation indicators of the Protocol's measures.

In addition, various other references were found useful for developing the Protocol (see Appendix 1)

ARTICLE 6: STRUCTURE

Although we are aware that the term *protocol* is applied to agreements that are no more formal than pacts or charters, the Protocol to Ensure Language Rights is based on a specific document, the Universal Declaration of Linguistic Rights, and lists measures aiming to safeguard the rights recognised by that Declaration, which is followed as a guide.

The Protocol has three main parts:

6.1. DOMAINS

The Organising Committee of the Protocol decided to maintain the classification of domains established in the Declaration document. Seven spheres or domains are

recognised:

- > Principles, discrimination, rights
- > Public administration and official bodies
- > Education
- > The socioeconomic sphere
- > Proper names
- > Communication, media and new technologies
- > Culture

6.2. MEASURES

Measures for safeguarding the rights proclaimed in the Universal Declaration of Linguistic Rights suggested by those involved in minoritised language recovery processes are listed for each domain.

6.3. INDICATORS

Indicators have been identified to evaluate the degree of compliance with the measures, such that if all the measures listed in the Protocol are evaluated positively it could be stated that the language rights of the language community in question are respected.

ARTICLE 7: GUIDELINES FOR USE OF THE PROTOCOL

7.1. SEQUENCE AND TIMING

The situation in which minoritised language communities find themselves varies greatly in different parts of Europe. As stated in the introduction, language diversity has been treated in different ways in recent years, and these different treatments have directly affected the fulfilment of language rights.

For this reason, the social entities in language communities will determine the sequence and timing of compliance with the measures in this Protocol.

7.2. THE TAG BOOK

To implement the timeframe outlined in the preceding section and facilitate the social entities' work, the Protocol will be accompanied by a Tag Book. Social entities signing the Protocol will fill in the Tag Book to ensure that they have carried out measures in the Protocol and may monitor the degree of achievement of the indicators in it.

Details instructions on how to fill in the Tag book will appear in the book.

7.3. PREPARING THE TAG BOOK

Social entities will fill in the TAG BOOK based on the Protocol.

After stating on the TAG BOOK which of the measures in the Protocol are completed, they are to stipulate the order in which all the other measures are to be taken together with the indicators for their degree of compliance and sequences.

It is important to cover all the measures included in the Protocol on the Tag Book for each language, because completing all the steps implies that there are safeguards for all language rights.

However, social entities will have the option when filling in the form of the Tag Book to suggest other intermediate measures which favour the achievement of the steps listed therein.

7.3. TAG BOOK FOLLOW-UP

After the Tag Book has been filled in, one of the ways in which it may be used is for social entities to pose questions to local, district, regional or state institutions responsible for language diversity and language policy in which the social entities may point out the support received by the Protocol to Ensure Language Rights in the process or what was approved.

7.4. SUPPORT FROM PUBLIC AUTHORITIES

The entities will make a specific effort to encourage public authorities on the local, district, regional or state level who are involved in the maintenance of language policies to respond positively to the guidelines set out in the Protocol, and also to accept the Protocol itself as a legitimate tool.

The entities will also work to persuade public authorities to implement the measures in this Protocol and to designate suitable resources to this end.

ARTICLE 8: FOLLOW-UP COMMITTEE

A Follow-up Committee shall be set up in order to monitor the application of the Protocol to Ensure Language Rights after the 17th of December, 2016.

8.1. COMPOSITION

In accordance with the original and essential spirit of the Protocol, the Protocol to Ensure Language Rights Monitoring Committee shall be composed of social entities.

The initial Follow-up Committee will be composed by the members of the Organising Committee responsible for organising the Protocol to Ensure Language Rights. Thereafter the Follow-up Committee itself will determine who the future members will be.

Those entities are:

- CIEMEN
- ECMI European Centre for Minority Issues
- LINGUAPAX INTERNATIONAL
- ELEN European Language Equality Network

- UNPO Unrepresented Nations and People Organisation
- PEN INTERNATIONAL

KONTSEILUA, the Council of Social Organisations of the Basque language shall be responsible for Secretariat of the Follow-up Committee.

8.2. FUNCTIONS

The Follow-up Committee shall perform four main functions:

A. To obtain support for the Protocol from social entities

The Follow-up Committee shall work to achieve more signatories for the Protocol among pro-language social entities.

B. Implementation of the Protocol in internal policies

The Follow-up Committee shall monitor the requests for implementation of the Protocol by entities of the language communities. The Committee shall provide help for this purpose to coordinate the degree of fulfilment of the Protocol.

C. Coordination and distribution of Tag Books

When social entities have filled in their Tag Book, they will submit a copy to the Follow-up Committee, which will use the material to assist other language communities to complete their own Tag Book.

D. Institutional recognition of the Protocol

It shall also monitor the efforts of social entities to achieve recognition of the Protocol by local, district, regional or state institutions.

The Follow-up Committee will also maintain an updated list of local, regional and state institutions that give recognition to the Protocol.

E. Legitimation of the Protocol in international institutions

The Follow-up Committee shall endeavour continually to obtain legitimisation of the Protocol in international institutions and for it to become a reference document.

ARTICLE 9:

Once signed the document, a copy of the Protocol and another copy of the Tag Book will be sent to the following:

- Secretary General of the United Nations Mr. António Guterres
- United Nations High Commissioner for Human Rights: Mr. Zeid Ra'ad Al Hussein
- United Nations Special Rapporteur on Minority Issues Ms. Rita Izsák
- Secretary General of the Council of Europe Mr. Thorbjørn Jagland
- President of the European Court of Human Rights Mr. Guido Raimondi
- Commissioner for Human Rights of the Council of Europe Mr. Nils Muižnieks
- Secretary General of the Organization for Security and Co-operation in Europe Mr. Lamberto Zannier
- High Commissioner on National Minorities (HCNM) of the Organization for Security and Co-operation in Europe Ms. Astrid

**Signed in Donostia / San Sebastian
2016, December, 17th**

MEASURES

1. PRINCIPLES, DISCRIMINATION, RIGHTS

Measures related to articles 1, 2, 5, 7 and 10 of the Universal Declaration of Linguistic Rights.

A. LANGUAGE RIGHTS

- | | | |
|----|--|---|
| 1. | There is a regulation that establishes that language rights are human rights. | 1 |
| 2. | Regarding the fundamental rights for all citizens speaking in any language, everybody has the free assistance of an interpreter if they cannot understand or speak the language used in court. (The right of language community's members are guaranteed by measures 29-34). | 2 |
| 3. | Regarding the fundamental rights for all citizens speaking in any languages, everyone who is arrested is informed promptly, in a language which they understands, of the reasons for their arrest and of any charge against them. | 3 |

B. LANGUAGE DISCRIMINATION

- | | | |
|----|--|---|
| 1. | The law establishes that no language discrimination can be accepted. | 4 |
|----|--|---|

C. LANGUAGE STATUS: OFFICIAL LANGUAGE

- | | | |
|----|---|---|
| 1. | The law gives official recognition and official status to the minoritised language. | 5 |
|----|---|---|

D. LEGISLATION

- | | | |
|----|--|---|
| 1. | The Administration establishes and implements laws and ordinances to develop and regulate the official status of the minoritised language. | 6 |
|----|--|---|

- | | | |
|----|---|---|
| 2. | It is ensured that all its activity can be carried out in the minoritised language. | 7 |
|----|---|---|

E. CORRECTIVE MEASURES

- | | | |
|----|---|---|
| 1. | If the language of the language community in question is in a minoritised situation, the administration takes specific supplementary corrective measures in order to provide safeguards for the language community's language rights. | 8 |
|----|---|---|

F. RESOURCES

- | | | |
|----|---|---|
| 1. | Material, financial and human public resources are guaranteed to safeguard the language community's rights. | 9 |
|----|---|---|

G. POSITIVE ACTIONS

- | | | |
|----|---|----|
| 1. | The minoritised languages are given priority over the main official language. | 10 |
|----|---|----|

H. UNIVERSALITY PRINCIPLE

- | | | |
|----|---|----|
| 1. | Measures to universalize the knowledge of the minoritised language are promoted, especially in education. | 11 |
|----|---|----|

I. MAINSTREAM PERSPECTIVE

- | | | |
|----|---|----|
| 1. | A mainstream perspective is incorporated into the administration's actions; general measures and criteria applicable to all sections, departments and parts of the public institution are defined and specified, so that the minoritised language is the language of service to the public and internal work. | 12 |
| 2. | In order to apply measures to safeguard language rights, the administrative body assigns to language policy a place in the political direction within the institution so that it has power to exert a direct and significant influence on all other sections. | 13 |

J. LANGUAGE HEARTLANDS, LANGUAGE BREATHING SPACES

- | | | |
|----|--|----|
| 1. | In areas where the minoritised language dominates the administrations and institutions ensure special legal recognition and protection.. | 14 |
|----|--|----|

K. HISTORICAL MEMORY

- | | | |
|----|--|----|
| 1. | The public administration provides resources to promote a present understanding of the context of language loss. | 15 |
|----|--|----|

2. PUBLIC ADMINISTRATION AND OFFICIAL BODIES

Measures related to articles 15, 16, 17, 18, 19, 20, 21 and 22 of the Universal Declaration of Linguistic Rights

A. ATTENTION IN THE MINORITISED LANGUAGE

1. REGULATIONS SAFEGUARD THE RIGHT OF CITIZENS TO RECEIVE ATTENTION IN THE MINORITISED LANGUAGE

- | | | |
|------|--|----|
| 1.1. | Regulations establish that spoken and written administrative procedures in the minoritised language will have full legal validity. | 16 |
|------|--|----|

2. ENSURING PROVISION OF ALL SERVICES TO THE PUBLIC IN THE MINORITISED LANGUAGE

- | | | |
|-----|---|----|
| 2.1 | Administrations offer the provision of service to the public (involving written and spoken) in the minoritised languages. | 17 |
|-----|---|----|

- | | | |
|------|--|----|
| 2.2. | Administrations ensure that front-desk staff has adequate linguistic competence. | 18 |
|------|--|----|

- | | | |
|------|---|----|
| 2.3. | The administrative sectors implement a general language plan to provide for services in the minoritised language. | 19 |
|------|---|----|

- | | | |
|--------|--|----|
| 2.3.1. | Administrative entities (local, regional, community-level, state-level etc.) specify a timeframe for implementation of the plan. | 20 |
|--------|--|----|

- | | | |
|--------|---|----|
| 2.3.2. | Plans contain goals for minoritised language provisions and progress indices, and also external and internal evaluation of the plan's implementation. | 21 |
|--------|---|----|

- | | | |
|--------|--|----|
| 2.3.3. | The plan analyses, defines and identifies priorities for minoritised language communication skills and linguistic competence required for staff positions in the Administration. | 22 |
|--------|--|----|

- | | | |
|--------|--|----|
| 2.3.4. | The Administration ensures adequate language competence for existing staff and the induction of new staff. | 23 |
|--------|--|----|

3. OUTSIDE CONTRACTING

- | | | |
|-----|---|----|
| 3.1 | When administrations outsource their services, they ensure that language planning provision also applies in according with A.2.3. | 24 |
|-----|---|----|

- | | | |
|------|---|----|
| 3.2. | If point A.2.3. is not complied with, the Administration rescinds the contract. | 25 |
|------|---|----|

4. HIGH-PRIORITY AREAS**4.1. HEALTH SERVICES**

4.1.1.	Administrations recognise the language rights dimension in the provision of health services.	26
4.1.2.	Interns are required to have adequate linguistic competence.	27
4.1.3.	When carrying out the planning established in A.2.3. the administrations give this area specific treatment on account of its special characteristics and it is made some system to monitor the plan.	28
4.1.4.	The plan gives priority to requiring adequate linguistic competence in the case of family doctors, paediatricians, psychologists and psychiatrists; and other key staff in direct contact with the public.	29
4.1.5.	Other aspects of the plan accords with those established in A.2.3.	30

4.2. ADMINISTRATION OF JUSTICE:

4.2.1.	Administrations recognise the language rights dimension in the provision of legal services, and in recognition on the rights of language communities, legal administrations ensure their rights of citizens to conduct legal procedures in the minoritised language.	31
4.2.2.	In accordance with the principle of equal treatment, the citizens of the language community are allowed to carry out and to perform any oral or written procedure directly, without recourse to interpreters.	32
4.2.3.	When carrying out the planning established in A.2.3. the administrations give this area specific treatment on account of its special characteristics and it is made some system to monitor the plan.	33
4.2.4.	The administration of justice implements relevant measures for the adequate acquisition of language competence among judges, prosecutors, legal administrators and other key professionals.	34
4.2.5.	The administration of justice makes provisions for legal texts, codes and similar materials in minoritised language.	35
4.2.6.	Other aspects of the plan accords with those established in A.2.3.	36

4.2.7.	The public/legal administration makes provisions for official registration in minoritised language.	37
4.3.	LAW ENFORCEMENT	
4.3.1.	The Administration makes provisions for the minoritised language among personal engage in law enforcement.	38
4.3.2.	Language guidelines are in place when administration hire outside companies to perform surveillance or security works.	39

B. COMMUNICATION

1	Administrations make provisions for binding guidelines on internal and external communication incorporating the following concepts:	40
1.1.	The Administration makes provision of the minoritised language regarding its corporate image and signage that incorporates the minoritised language.	41
1.2.	Regulations state that any official document or publication shall be legally fully valid even if only in the minoritised language.	42
1.3.	Regulations state that any official document or publication shall be legally fully valid even if only in the minoritised language.	43
1.4.	The Administration makes provision for the use of the minoritised language at public events, such as, public meetings, public presentations...	44

C. THE MINORITISED LANGUAGE IN THE WORK PLACE

1.	The Administration provides for the use of minoritised language in the work place, and discourages the prohibition of minoritised language in the work environment.	45
2.	The Administration makes provision for working practices and official communication among staff in minoritised language.	46
3.	The Administration facilitates the generation of administrative documentation in the minoritised language.	47
4.	It is ensured that there are examinations for job selection in the minoritised language.	48
5.	The Administration encourages and rewards positive attitudes towards the minoritised language in working environment.	49

3. EDUCATION

Measures related to articles 23, 24, 25, 26, 27, 28, 29 and 30 of the Universal Declaration of Linguistic Rights.

A. FORMAL EDUCATION

1. EARLY CHILDHOOD EDUCATION

1.1.	In all centres receiving direct or indirect public funding children are taught through the minoritised language.	50
1.2.	As a first step, education in minoritised language is available for all those families who request it.	51
1.3.	All extracurricular activities are available in the minoritised language.	52
1.4.	The school staff is competent in the minoritised language.	53
1.5.	Extra resources are allocated for classes taught in minoritised language.	54
1.6.	With regard to communication, section B of the Public Administration domain is applied to schools.	55

2. COMPULSORY EDUCATION: PRIMARY AND SECONDARY EDUCATION

2.1.	A minoritised language general immersion and language-maintenance system is in place.	56
2.2.	As a first step, education in minoritised language is available for all those families who request it	57
2.3.	Teaching through minoritised language, including oral skills and literacy, is available.	58
2.4.	All school-related activities - whether inside or outside the school, extracurricular, etc. - are available in the minoritised language.	59
2.5.	Information about the advantage of acquiring minoritised languages skills are actively promoted for immigrants.	60
2.6.	Extra resources are allocated.	61
2.7.	Schools have designed, and are implementing their linguistic projects, which include initial diagnosis, objectives and target ages, and which define the trajectory of all the curricular languages inside and outside the classroom.	62

2.8.	Human and material resources are available to teach in every subject in minoritised language, at secondary level	63
2.9.	All relevant staff involved has acquired competence in the minoritised language.	64
2.10.	With regard to communication, section B of the Public Administration domain is applied to school system.	65

3. VOCATIONAL EDUCATION AND TRAINING

3.1.	Vocational education and training in the minoritised language is available for all students who request it	66
3.2.	Work placement or traineeships are available in the minoritised language	67
3.3.	New professional areas are available in the minoritised language.	68
3.4.	The administration asks schools to design a language project, one of whose functions will be to decide when and how the dominant language and foreign languages should be incorporated depending on the situation at the school.	69
3.5.	All relevant staff involved is competent in the minoritised language.	70
3.6.	With regard to communication, section B of the Public Administration domain is applied to vocational education and training.	71

4. UNIVERSITY AND OTHER HIGHER EDUCATION

4.1.	STUDY PROGRAMME	
4.1.1.	Each faculty of higher education institutions has a plan to identify the minoritised language-speaking staff and students, and prioritizes their needs.	72
4.1.2.	All the courses of university studies are available in the minoritised language.	73
4.1.3.	A report monitors the real overall availability of courses and activities in the minorities language and is periodically published.	74

4.2.	RESEARCH	
4.2.1.	Original research can be conducted and academic-level dissemination can be published in the minoritised language.	75
4.2.2.	Scientific contributions are not downgraded by evaluating agencies and institutions if they are.	76
4.3.	With regard to communication, section B of the Public Administration domain is applied to universities.	77

5. EXTRACURRICULAR ACTIVITIES

5.1.	All courses at publicly owned music and art schools are available in the minoritised language.	78
5.2.	The administration requires such schools to design a language project one of whose functions will be to specify offerings in the minoritised language and a timeframe for offering the whole programme in the minoritised language, based on the current situation.	79
5.3.	Schools that are not publicly owned but which directly or indirectly receive public funding must also present a language project of similar characteristics.	80
5.4.	Section B of the Public Administration domain shall be applied in music schools and centres of the arts.	81

B. INFORMAL EDUCATION

1. LEISURE CENTRES, SPORTS CLUBS AND FEDERATIONS

1.1.	All activities at all kinds of publicly owned leisure-oriented centres are available in the minoritised language.	82
1.2.	The administration requires centres to design a language project, one of whose functions will be to specify provision in the minoritised language and a timeframe for provision the whole programme in the minoritised language, based on the current situation.	83
1.3.	Centres that are not publicly owned but which directly or indirectly receive public funding must also present a language project with similar characteristics.	84

C. EDUCATION OF TEACHERS AND TRAINERS

1. TEACHERS	
1.1. Teacher training institutions give training in the knowledge and use of the minoritised language.	85
1.2. Special training as befits a situation where language in minoritised situation are provided for, as follows:	
1.2.1. Teachers training institutions train to teach subjects in the minoritised language, with a high command of the language.	86
1.2.2. Necessary specific training is provided so that teachers are capable of implementing an immersion model in a multilingual situation.	87
2. EDUCATORS	
2.1. Educators (sport, leisure) must have competence in the minoritised language to obtain certification.	88
2.2. Adequate tools are provided in the training of educators to deal with unfavourable minoritised language contexts, and provisions are made for continuous training or updating.	89
3. IN-SERVICE TEACHER TRAINING	
3.1. In-service teacher training includes acquisition of the minoritised language.	90

D. ADULT MINORITISED LANGUAGE LEARNING

1. Citizens who wish to learn the minoritised language are able to do so free of charge.	91
2. The availability of classes everywhere is ensured, in cooperation with grassroots initiatives.	92
3. Teaching of the minoritised language is included in training aimed at the unemployed.	93
4. Teaching of the minoritised language shall be incorporated in continuous education for adults.	94
5. Courses in literacy in the minoritised language are provided free of charge.	95

E. CURRICULUM AND MATERIALS

1. CURRICULUM	
1.1. School leavers have become speakers of the minoritised language, the dominant language and one or two foreign languages, thus becoming multilingual minoritised language speakers.	96
1.2. With local culture as the core, the curriculum has components of European culture and universal culture.	97
1.3. In particular, sociolinguistics, language diversity and notions about languages in contact are included in the syllabus.	98
1.4. The advantages of the presence of the minoritised language in the curriculum are explained periodically at meetings with parents.	99
2. TEACHING MATERIAL	
2.1. Appropriate material for teaching through the minoritised language is available.	100
2.2. Publishers who develop textbooks in the minoritised language have access to subsidies.	101

4. THE SOCIOECONOMIC SPHERE

Measures related to articles 47, 48, 49, 50, 51 and 52 of the Universal Declaration of Linguistic Rights.

A. REGULATORY SYSTEM

1. There are adequate regulations to guarantee consumer rights in the minoritised language.	102
---	-----

B. MINORITISED LANGUAGE IN CONSUMER RELATIONS

1. HEALTH AND SAFETY PROTECTION:	
1.1. Messages relating to health and safety in products, such as instructions about medications, information about the risks of products etc., are also available in the minoritised language.	103
1.2. Notices and instructions relating to health and safety on commercial premises are also available in the minoritised language.	104

2.	PUBLIC INFORMATION RELATED TO PRODUCT AND SERVICES:	
2.1.	Information is available in minoritised language (invoices, estimates, rates, product catalogues, certificates, instruction manuals for products or services etc.).	105
2.2.	Similar measures relating to product and services are carried out where costumer relations are administrated outside the area of the language.	106
2.3.	Signage and business information is also available in the minoritised language..	107
2.4.	Computer applications, software, interfaces etc. of products are also available in minoritised language.	108
2.5.	Marketing and publicity guidelines for the use of minoritised languages in business activities are promoted.	109
3.	DISPUTE	
3.1.	The resolution of consumer disputes is conducted in a manner ensuring the consumer rights of those minoritised languages.	110
4.	THE CONSUMER RIGHTS IN KEY ECONOMIC SECTORS AND IN THE PROVISION OF UTILITIES ARE PROMOTED IN THE MINORITISED LANGUAGE ALSO.	
4.1.	To implement language plans in the following sectors: Insurance companies, energy providers, transport services, freight companies, financial institutions, telephony providers, companies that provide social and general care and companies that provide health care and postal service.	111

C. THE MINORITISED LANGUAGE IN THE WORK PLACE AND LABOUR MARKET		
1.	The rights of workers to work in minoritised languages are afforded legal protection.	112
2.	Companies and enterprises promote practices in the minoritised languages: Training plans; continuous training; work contracts and labour agreements; memos, messages, announcements and other documents; internal work procedures; language landscape; material with language content (catalogues, on-line sales outlets, publicity..)....	113
3.	Companies and enterprises provide for the use of the minoritised language in the work place, and discourages the prohibition of minoritised language use in the work environment.	114

D. CORPORATE AND SOCIAL RESPONSABILITY

1.	Trade unions include clauses about the minoritised language in their collective bargaining in order to safeguard workers' language rights and social responsibility	115
2.	Companies and enterprises engage proactively with the minoritised communities in developing social responsibility.	116
3.	Companies and enterprises engage proactively with establishing committees to promote in the socioeconomic sphere minoritised language.	117
4.	Trade unions develop internal practices and support for minoritised language planning.	118

5. PROPER NAMES

Measures related to articles 31, 32, 33 and 34 of the Universal Declaration of Linguistic Rights.

A. AN AUTONOMOUS BODY FOR NAME STANDARDIZATION

1.	An autonomous body (a language academy for example) is responsible for standardising names in the minoritised language, respecting its diversity.	119
2.	The administration and institutional bodies use the list of names established by the language academy as their point of reference.	120
3.	The freedom of language academies is acknowledged to create lists of names based on the characteristics of each language, and not be made to adopt the criteria of the dominant language.	121
4.	It is responsibility of the top-level administrative body to give all other administrative entities access to lists of names approved by language academies.	122

B. NAMES OF PEOPLE

1.	Members of the public have the ability, acknowledged in the law, to have personal names entered in official registers in the spelling of the minoritised language, maintaining original spellings.	123
2.	Registers allow members of the public to translate their names into the minoritised language or change the spelling to that of the minoritised language.	124
3.	No administration is able to change the spelling of names of members of the public or to oblige them to change it, or to use a translated form of their names or oblige them to use one.	125

C. NAMES OF GEOGRAPHICAL ENTITIES

1.	A law ensures that place-names in the minoritised language are always present in official registers, signage and official maps.	126
2.	The law ensures official legal status to the minoritised language place names.	127
3.	It is obligatory for private companies to use minoritised language place-names on transportation routes and highways managed by them.	128
4.	Public authorities offer access to a data base bringing together all place-names.	129
5.	Place-names in the minoritised language are recovered, re-established and given official status within the historic area of the language.	130
6.	Companies and other entities with agreements with the public authorities or which directly or indirectly receive financial support from it must use minoritised language place-names.	131
7.	Public administrations provide guidelines requiring that devices and tools produced by private companies for cartographic or localization purposes (such as GPS) use minoritised language place-names.	132

6. COMMUNICATION, MEDIA AND NEW TECHNOLOGIES

Measures related to articles 35, 36, 37, 38, 39 and 40 of the Universal Declaration of Linguistic Rights.

A. BASIC MEASURES

1.	Language policies designed and developed by public authorities include a section on information and communication technology (IT) where the place of the media and IT in language policy is spelt out. Similarly, when designing their communication and IT policies, public authorities incorporate a section regarding language.	133
2.	A communication system for the disadvantaged language is developed which takes into consideration all domains of communication and which is to be managed by the institutions and entities of the area where the language is found.	134
3.	The communication system is managed in complementarity by public and social media managers (institutions for the public good), working jointly in equality of conditions and avoiding duplication.	135

4.	A communication policy favouring the minoritised language is developed based on cooperation between public authorities and social or private entities.	136
5.	Public authorities adopt a structure to monitor the media presence of minoritised languages.	137

B. ON THE RIGHT TO RECEIVE INFORMATION IN THE MINORITISED LANGUAGE

1.	PUBLICLY OWNED MEDIA	
1.1.	There is a publicly owned radio channel with a programme schedule entirely in the minoritised language.	138
1.2.	There is at least one publicly owned television channel with a programme schedule entirely in the minoritised language.	139
1.3.	There is a daily newspaper entirely in the minoritised language financially ensured.	140
1.4.	Some presence of the minoritised language is ensured in all publicly owned media which are chiefly in the dominant language. Resources adequately suited to each medium are allotted for this: in the case of the press, various sections in the non-dominant languages; on the radio, segments in these languages inserted in the programming; on television, segments broadcasted making use of subtitles or a second audio channel; in on-line media, language versions provided. The presence of such elements are regulated by specific quotas with the minimums established by a language policy.	141
2.	PRIVATELY OWNED AND GRASSROOTS BASED MEDIA	
2.1.	Media based on the minoritised language or entirely in it has the same legal status as other kinds of media.	142
2.2.	Media in the minoritised language is not required to use another language.	143
2.3.	Private media with any contract with the administration (including advertising) or receiving any services, aid or benefits from it, is subject to measures and language quotas favouring the minoritised language (by quotas or other measures).	144
2.4.	Public authorities apply quota systems to make sure institutional advertising in the media uses the languages of the region, specially the minoritised language.	145
2.5.	There are special grants for media broadcasting entirely in the minoritised language.	146

3. MEASURES TO PROMOTE VISIBILITY

3.1.	A continuous policy of investment is available to normalise the offer of media in the minoritised language, positive discrimination.	147
3.2.	Public authorities use resources for speakers of the minoritised language to express themselves in their own language, and promote production in the minoritised language, to ensure the visibility of minoritised languages among media of the dominant language.	148
3.3.	The public authorities take measures to improve the visibility of media in the disadvantaged language, e.g. through communication campaigns, special grants for the minoritised language press to be present in public places, etc.	149

4. CONTENT

4.1.	Media promoting negative stereotypes of or racist attitudes towards the minoritised language is penalized.	150
4.2.	Media offer the necessary tools so that the language choice of minoritised language speakers is upheld.	151
4.3.	Local content is promoted in the media in order to reinforce the connection between the language and its area.	152

5. NEW MEDIA

5.1.	When new broadcasting licences are given out, there are licences reserved for radio or television stations broadcasting entirely in the minoritised language	153
5.2.	When new radio or television licences are given out, guidelines for language management are given to channels which do not broadcast in the minoritised language in order to ensure the allocation of broadcasting time in the minoritised language.	154

6. MEDIA PROFESSIONAL

6.1.	University courses are arranged for training communication professionals in the minoritised language.	155
6.2.	Professionals in the communication sector who work in the minoritised language are allowed to form their own associations.	156

7. CROSS-BORDER RELATIONS

7.1.	When a minoritised language is spoken in more than one territory, it is ensured that it is possible to receive broadcasts of media in other territories.	157
7.2.	If there are no media, the local public authorities, in cooperation when necessary, ensure that at least one television station and a radio station is broadcast and a newspaper circulated throughout the language of the community.	158

C. NEW TECHNOLOGY

1.	The software of the public administrations is localized or translated into the minoritised language, and made available to members of the public.	159
2.	All organisations, companies, business establishments and so on who receive direct or indirect assistance from the public administration must ensure that their digital services are in the minoritised language as a condition for receiving grants.	160
3.	It is stipulated that all digital services by suppliers to the administration, will be in the minoritised language.	161
4.	Language impact assessment is incorporated into all IT-related grants requiring products to be in the minoritised language.	162
5.	Tools that facilitate the use of the minoritised language (such as spell-checkers, translation software etc.) are made available to the public.	163
6.	Public authorities reach to agreements with companies to increase the digital presence of minoritised languages.	164
7.	Digital products targeting young audiences are made available in the minoritised language, stipulating a timeframe and resources.	165
8.	Digital projects developed in the minoritised language get preference when applying for grants.	166

7. CULTURE

Measures related to articles 41, 42, 43, 44, 45 and 46 of the Universal Declaration of Linguistic Rights.

A. THE RIGHT OF ACCESS TO CULTURE

1.	Laws are passed so that minoritised language culture is accessible to all people.	167
----	---	-----

2.	Public administrations set aside specific funds representing a specified percentage of their general budgets to promote the culture of the minoritised language and ensure access to universal culture through the medium of the minoritised language.	168
----	--	-----

B. CULTURE CREATED IN THE MINORITISED LANGUAGE

1. SUPPORT FOR CREATION

1.1.	The work of artists who create in the minoritised language is recognised and protected, and a statute for creators has been created to protect their rights.	169
1.2.	There is a fund for investment in minoritised language cultural projects.	170
1.3.	There is a system of grants for creators in the minoritised language.	171
1.4.	Investment policies are set by the administration to support cultural entities and the culture industry in the minoritised language.	172
1.5.	A quota is established to ensure the presence of cultural creations in the minoritised language in cultural programmes organised by or receiving financial support from public institutions.	173
1.6.	Tools are facilitated so that the terminology of all fields of creation is available in the minoritised language.	174

2. TRANSMISSION

2.1.	Public media have programmes of cultural creations in the minoritised language.	175
2.2.	In news programmes on public media there is a slot for minoritised language culture, informing of all kinds of cultural expression.	176
2.3.	A quota for information about new cultural creation in the minoritised language is established for media directly or indirectly receiving public money.	177

3. VISIBILITY

3.1.	The use of minoritised language arts and culture is ensured in public infrastructures.	178
------	--	-----

3.2.	There is a a minoritised language cultural agenda portal on the internet.	179
3.3.	There is financial assistance for distribution and promotion ensuring the visibility of all products created in the minoritised language.	180
3.4.	Language criteria are established for cultural events (covering programmes, landscape, content etc.) in order to ensure the presence of the minoritised language in speech and writing.	181
3.5.	The visibility in international fora of creations in the minoritised language (e.g. through awards, international festivals etc.) is proactively developed	182

C. UNIVERSAL CULTURE IN THE MINORITISED LANGUAGE

1.	Cultural products created in other languages are available in the minoritised language (using translation).	183
2.	Films are translated (subtitling or doubling) into the minoritised language.	184
3.	A quota is established for cinemas to show films in the minoritised language.	185

ANNEXE N. 1

The 1996 Universal Declaration of Linguistic Rights has been the Protocol's chief guide. Another fundamental reference document has been UNESCO's 2003 report, «*Language Vitality and Endangerment*,» which lays down specific evaluation indicators.

Besides these two main references, the following documents or charters have also been taken into consideration by the Protocol to Ensure Language Rights:

UNITED NATIONS

- Universal Declaration of Human Rights (1948)
- International Covenant on Civil and Political Rights (1966)
- International Covenant on Economic, Social and Cultural Rights (1966)
- Proclamation of Teheran (1968)
- UN Convention on the Rights of the Child (1989)
- Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)
- Vienna Declaration and Programme of Action (1993)
- Declaration of the Rights of Indigenous People (2007)

COUNCIL OF EUROPE

- Convention for the Protection of Human Rights and Fundamental Freedoms (1950)
- European Charter for Regional and Minority Languages (1992)
- Framework Convention for the Protection of National Minorities (1994)

UNESCO

- Universal Declaration on Cultural Diversity (2001)
- Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE

- Hague Recommendations Regarding the Education Rights of National Minorities (1996)
- Oslo Recommendations Regarding the Linguistic Rights of National Minorities (1998)
- Lund Recommendations on the Effective Participation of National Minorities (1999)

EUROPEAN UNION

- EU Charter of Fundamental Rights
- Treaty of Lisbon
- Report with recommendations to the Commission on European regional and lesser used languages – the languages of minorities in the EU – in the context of enlargement and cultural diversity
- European Parliament resolution on 11 September 2013 on endangered European languages and linguistic diversity in the European Union

PEN INTERNATIONAL

- PEN INTERNATIONAL: Girona Manifesto on Linguistic Rights

NETWORK TO PROMOTE LINGUISTIC DIVERSITY

- The Roadmap for Linguistic Diversity

Following-up Committee

Jarraipen batzordea



UNREPRESENTED
NATIONS & PEOPLES
ORGANIZATION
unpo.org

[=]

c i e m e n



EUROPEAN CENTRE
FOR
MINORITY ISSUES

L i n
g u a
P a x

Linguapax
International

pen
INTERNATIONAL

ELEN | EUROPEAN LANGUAGE
EQUALITY NETWORK

www.protokoloa.eus

Secretariat / Idazkaritza



EUSKARAREN GIZARTE ERAKUNDEEN
KONTSEILUA