

**Discussion Forum on the  
European Charter for Regional  
or Minority Languages**

***Consello da Cultura Galega*  
(Council for Galician Culture)  
Santiago de Compostela,  
29-30 June 2017**



## Discussion Forum on the European Charter for Regional or Minority Languages

Council for Galician Culture (*Consello da Cultura Galega*)

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### General conclusions

1. The *European Charter for Regional or Minority Languages* (hereinafter, the Charter), as an international treaty for protecting and promoting regional or minority languages, needs greater social dissemination coupled with greater institutional recognition.
2. For the first time, representatives from the official and non-official languages spoken in the Spanish State's different Community regions met in Santiago de Compostela to address the situation of each of them as regards compliance with the commitments signed by the Government of Spain.
3. The forum looked at the progress, lack of it or regression seen in the daily lives of the communities who speak them, since the last report issued by the Committee of Experts (2010-2013) and the recommendations from the Council of Europe's Committee of Ministers.
4. As regards the non-official languages (Tamazight, Ceutan Arabic, Aragonese, Asturian, Caló, Catalan (in Aragon and Murcia), Fala (in Extremadura), Galician (in Asturias and Castile & Leon), Leonese, Portuguese (in Extremadura) and Basque in areas of Navarre where it is not official):
  - a. It is seen that it is extremely necessary to protect and promote them based on a well-structured linguistic policy that includes making them official, which is an essential condition for them to survive.
  - b. It has become clear that in analogous linguistic and social situations there are citizens of the Spanish State whose constitutional rights are not met in terms of language because they belong to different autonomous community regions.
5. As for the official languages (Aranese, Catalan (in Catalonia, the Balearic Islands and the Valencia region), Basque (the Basque Country and the Basque-speaking zone of Navarre) and Galician (Galicia), the forum:
  - a. Has made it clear that the main defects detected in the 4<sup>th</sup> report by the Committee of Experts (2010-2013) still exist and in some cases they have got worse.
  - b. Has noticed that there is uneven behaviour from the Central Government and the autonomous community regions' governments. It has been very clearly noted that bodies that depend on the Spanish State's Central Administration and on the Government of Spain are not taking it upon themselves to defend and promote linguistic diversity, to which they are bound by the commitments taken on in ratifying the Charter. The progress made, whether small or great, is due to the action taken by local or autonomous regional governments in keeping with their scope of competence.
  - c. Notable differences have been detected among the autonomous regions in compliance with the agreements as regards official languages, which are particularly serious in Articles 8 (education) and 11 (the media). Likewise, there are notable differences between speakers of the same language in different autonomous regions.
6. It is necessary to set up a periodic workspace to make progress in creating a society that accepts its linguistic diversity as part of its wealth and to help achieve the commitments taken on by the central government.

## **TAMAZIGHT IN MELILLA**

### **(Mohand Tilmatine)**

- On drawing up Spanish state reports, it is necessary to address all of the matters proposed by the Committee of Experts responsible for monitoring compliance with the commitments made on ratifying the Charter.
- The Tamazight language lacks visibility or institutional presence (in justice, education, signage, etc.). That is why it is necessary to legitimise it in public usage.
- However, there is no organisation in Melilla specifically responsible for monitoring linguistic policy.
- In Melilla, religion is often used as an identifying hallmark of the autochthonous people, of North African descent, identifying them as “Muslims”, which leads to a segregation or contrast between the “Muslim people” and the “European Christian people”. The conscious or subconscious association of Muslim Melillans with other Muslims has direct effects on international attitudes, behaviour and loyalties. This is why it is advisable to make a commitment to the Tamazight language as an identifying hallmark and point of reference instead of Islam.

## **CEUTAN ARABIC**

### **(Francisco Moscoso)**

- Ceutan Arabic should be recognised in Ceuta’s Statute of Autonomy. The language is endangered and increasingly a minority given the scarce or even non-existent interest from the Spanish Government in general and the Ceutan Administration in particular, which encourages and promotes militant monolingualism, considering Ceutan Arabic to be a non-traditional language of immigrants, viewed as the language of the “enemy”, Morocco. It is therefore necessary to comply with all of the points in Article 7 to safeguard it.
- It is also necessary to guarantee the presence of Ceutan Arabic in the media, in the government and in the education system.
- A Ceutan Arabic academy must be set up with the following objectives:
  - To constitute a committee of experts to begin codifying this language and giving it standard rules, following the example of academic proposals made for other native Arabic languages.
  - To promote the study of Ceutan Arabic among monolingual people in the Institute of Languages, in education and in government.
  - To foster study of this language in the Arabic Department at the Institute of Ceutan Studies.
  - To raise awareness in Ceuta’s Faculty of Education, Economy and Technology for it to be included in future primary and secondary school teachers’ study plans.

## ARAGONESE IN ARAGON

### (Anchel Reyes)

- In Aragon, some positive initial steps have been taken for the Aragonese language since 2015, when the General Directorate on Linguistic Policy was created. These advances need to be taken further and sustained in subsequent legislatures, since the institutional inactivity over the last 25 years has led to reiterated failure of the Government of Aragon to comply with the Charter and to the continual loss of traditional speakers of this language.
- Firstly, legal recognition of Aragonese in the Cultural Heritage Law of 3/1999 must be extended to the Law on Languages 3/2013, which in future will have to prepare institutions to introduce the co-official nature of the language via the Statute of Autonomy (to completely guarantee the speakers' linguistic rights). Secondly, broad official zoning must be carried out, taking into account the city of Zaragoza, in order to ensure linguistic policies are applied in the territory where it is spoken. Thirdly, the institutions must boost oral and written use of the language via the main media such as public radio and television, as well as fostering awareness-raising campaigns as regards linguistic heritage in order to eradicate linguistic prejudices among the Spanish-speaking majority in Aragon.
- In the field of education, it is necessary to guarantee the right to learn Aragonese within the school timetable and gradually introduce it as the vehicular language in publicly-run schools that request it. In this vein, the teaching of Aragonese to adults, mostly carried out by non-profit associations and entities, must be made professional. Teaching is the top priority for this language, since it is threatened by a high rate of breakdown in its transferral between generations.
- Fostering research and the relationship with other increasingly minority linguistic communities are also essential points to look into so as to achieve the aim of compliance with the Charter.
- It is essential to generate social and political consensuses to enable the institutions to act steadily and resolutely to guarantee speakers' rights and safeguard this immaterial heritage in danger of disappearing.

## ARANESE IN CATALONIA

### (Francesc Xavier Lamuela, María Vergés Pérez)

- Aranese, the Occitan spoken in the Valley of Aran, is in an extremely fragile situation. Whereas in 2008 there were 23.4% of the valley's inhabitants who considered it to be their usual language, by 2013 and only 17.6% thought so.
- As for nursery schools, it is necessary for the regulations from the Catalan Government (*Generalitat*) to adapt to the true situation in the towns. As the town councils are responsible for managing them, there are uneven levels among the staff who should know the language.
- It is seen that the Spanish State is reluctant to carry out activities to foster the language, as well as its negative attitudes as regards aspects mentioned for the other languages, with particularly serious consequences in the Judicial Administration.
- As for linguistic policy of the Catalan Government (*Generalitat*) and the *Conselh Generau d'Aran* (General Administration of Aran), a certain liveliness is seen in cultural activities and a relatively healthy position as regards teaching. However, except for continuing the previous policies of disseminating knowledge of the language and the initiatives in terms of culture, there is no linguistic policy today. The Catalan Law 35/2010 on Occitan and Aranese in Aran has yet to be implemented and there is no formal, coherent linguistic policy or plan. A lack of training for professionals appears in different fields of activity, and has begun to be felt in teaching. In government, there is only acceptable usage of Aranese at a local level. The use of Aranese in the media is marginal.

There is a total lack of any kind of promotion of Aranese in the socio-economic sphere.

- For all of the above reasons, the following actions are urgently recommended:
  - Systematic implementation of Catalan Law 35/2010.
  - An organised linguistic policy plan that includes teaching professionals in different spheres and taking action in the socio-economic sphere.
  - Making agreements with the French regions of Occitan lands in order to carry out joint linguistic policy activities, especially in the fields of education, the media and standardisation of the language rules.

## **ASTURIAN IN ASTURIAS**

### **(Carlos Pulgar García)**

- There is no respect for the areas of the language nor are there institutional relationships with other groups.
- There is no solid action to promote Asturian in order to save it; only superficial measures with a limited degree of promotion in specific cultural activities. It is not at all easy for citizens to speak or write in Asturian when dealing with the public administration, nor is it used within the public administration itself.
- In the sphere of education, it has a partial, precarious presence. Asturian is only optional in primary and secondary education. Its presence is not regulated in nursery schools or official schools of languages (public language centres), nor in adult education. At university level, it is only present as a minor subject. There are no resources for non-speakers to learn Asturian, either; the task being carried out by social associations.
- There is exclusion of Asturian usage in the public administration, which is designed and conceived entirely in Spanish; the use of Asturian is “tolerated” only in very specific circumstances and restricted to certain matters.
- The coexistence between the two groups is good, but the authorities do nothing to foster it. The public media do nothing in this regard, either.
- The public authorities’ response to the demands from the linguistic community is slight or non-existent. There are no mediation bodies on an autonomous regional level.
- Given this panorama, there are some urgent priorities:
  - Legal equality should be established for Asturian speakers; in other words it needs to be an official language. As a co-official language, the Asturian linguistic community will be able to have the same rights as Spanish speakers in Asturias.
  - An education system needs to be set up to ensure knowledge of Asturian for all students by the time they finish their compulsory studies. This is why vehicular usage of the language in teaching is essential.
  - Public media should be set up entirely in Asturian. There should be at least one TV channel, one radio station and a digital platform to foster linguistic standardisation.
  - Systematic, broad use of Asturian throughout the public administration.
  - The process of making the toponyms official should be completed and applied systematically in all media.
  - Special measures are needed to encourage intergenerational transfer (in school, with children’s programmes on TV, in social and leisure settings, etc.).

## **CALÓ (ROMANI)**

**(Juan F. Gamella)**

- Caló or Romani is a mixed language created by Roma or Calé Spaniards, combining a vocabulary derived from Romani with the grammar of majority languages such as Spanish, Catalan or Basque. It was most certainly created as complete varieties of Romani spoken in the Iberian Peninsula were eroded and disappeared.
- Technically, Caló is a Para-Romani language and not a variant of Romani. It is a minority language with no particular territory. After ratifying the Charter, several countries with significant Roma minorities have gradually included the “Romani of the Sinti and German Roma” (Germany, 1998), “Romani Chib” (Sweden, 2000), “Romanes” (Finland), the “Roma” language (Czech Republic, 2006), “Romani” (Hungary, 2008) and Romany (Romania, 2008) as languages to be observed, protected and promoted.
- Even so, no state has specifically referred to the Para-Romani variants as worthy of protection. So what should be done to protect these languages, which are certainly among the most threatened of all those that exist in Europe and which are used precisely by particularly vulnerable, excluded groups? Should they be included within the protection and promotion of the Romani language in some of its forms? Should an attempt be made to recover Spanish Romani with growing recognition and expression of the vitality of the Romani varieties in European public life and in the media? Should these languages have a greater presence in academic centres and the media? And in institutional life?
- The Charter itself recommends recognising them and addressing “the needs and wishes expressed by the groups who use these languages” (Article 7.5). Some bodies that can “advise the authorities” on these matters already exist in Spain (Roma People State Council; Institute of Roma Culture) and Europe (European Academic Network on Romani Studies; European Roma Institute for Arts and Culture). Should more be done in this sense to get to understand the real current situation better and the possibilities for revival, recognition and expression of Spanish Romani in public communication and education?
- For the recovery of Spanish Romani, it will be essential to count on native Caló speakers in Spain, as well as the enormous amount of experience and skill accumulated in studying and promoting this language throughout Europe, which is beginning to be seen in Spain, as in the initiation programme in Romani studies in Spanish (“*Sar san? ¿Cómo estás?*”, Jiménez and Cañadas, 2012). The Charter provides clear support in this sense in its Article 7.1.i, urging the signatory States to foster “the promotion of appropriate types of transnational exchanges” for “minority languages used in identical or similar form in two or more States.”

## **CATALAN IN ARAGON**

**(Javier Giralt Latorre)**

- Including the name “Catalan” in the Aragon Statute of Autonomy in Article 7, where it mentions the region’s “languages and linguistic modalities”, is the only way to give the Catalan language the recognition and social prestige it has never had. It would also prevent the choice of name for the language spoken in the *La Franja* (eastern Aragon bordering Catalonia) from being subject to the arbitrary nature of politics.
- Declaring Catalan in Aragon to be co-official would also make it possible to come up with committed linguistic policy and planning in order to standardise the use of Catalan in the area of *La Franja*.
- Establishing schooling in Catalan in *La Franja*’s schools or at least compulsory study of this language with an equal number of teaching hours as for Spanish or English would truly foster oral and written use of Catalan in all spheres, while giving new generations the four communication skills in Catalan.
- Carrying out comprehensive awareness-raising work as regards the true linguistic situation in Aragon in order to inform all of Aragonese society that there is an area in their autonomous community region where Catalan is spoken is the only way to gradually achieve awareness among the Aragonese people about this undeniable linguistic fact and for them to show sensitivity towards it. This task needs implication from the Aragonese institutions as well as public and private schools and the media.

## CATALAN IN CATALONIA

(Eva Pons, F. Xavier Vila i Moreno)

- The Catalan language is the one with most speakers protected by the Charter (excluding the regional or minority languages (RML) that are also official in another European state) and enjoys an official status in Catalonia, the Valencia Community Region (where it is called Valencian) and the Balearic Islands. This unique position shows the current vitality of the language in the spheres covered by Parts II and III of the Charter. Nevertheless, this vitality could be threatened in future if the Charter is not applied coherently.
- As regards Article 7, the principles of the Charter are not observed by the Spanish State, which not only allows virulent attacks in public discourse and in the media against the Catalan language, but also legislates (always and increasingly in strategic sectors) in favour of using the Spanish State's language. No significant advances are seen in terms of promoting the relationships between Catalan speakers resident in different autonomous community regions, despite changes of government in Aragon and Valencia.
- In education (Article 8), in spite of all the success achieved in giving students bilingual abilities, difficulties are seen in learning the written rules and increasing colloquial use among non-native students, which restricts its spread in interpersonal usage (Article 7.1.d). The increasing judicialisation and conflict as regards the linguistic model in schools (which has very broad social support) due to Sentence 31/2010 (on the 2006 Statute) obliges 12 Catalan schools to put aside their linguistic project and the Catalan Government to pay for the private schooling of 39 families. At university level, the application of plans for multilingualism to promote the use of foreign languages in practice leads to a regression of Catalan in favour of Spanish and in some cases of English.
- In the judicial system (Article 9), failures to comply with the Charter continue and the Catalan situation is getting worse: Catalan sentences have fallen from 12.4% (2013) to 8.5% (2016). Proposals to reform the Organic Law on the Judiciary (LOPD, 2013, 2014 and 2016), aimed at allowing judicial procedures to take place in Catalan when requested by one of the parties, have failed due to rejection from the State Congress. Despite its restricted competences, the Government of Catalonia is increasing its initiatives to foster the use of Catalan in the judicial system (incentives for internal staff and lawyers, training, translation, etc.), although the scarce collaboration from state bodies and certain Spanish language-leaning sectors of lawyers restrict their effect in practice.
- As for the Spanish State Administrations (Article 10), there is still a lack of compliance detected as regards uses and training of staff with the new general legislation (Laws 39/2015 and 40/2015). The Public Ombudsman and the Office of Linguistic Guarantees have registered numerous breaches of Catalan speakers' linguistic rights, the most serious ones referring to activities of the Civil Guard police. In autonomous regional and local government, Sentence 31/2010 favours restrictive interpretations of the ordinary courts when dealing with non-statutory rules that regulate the use of Catalan, though the effects are limited.
- As regards the media (Article 11), the Spanish State's legislation and regulations tend towards the political centre of Spain and favour Spanish in the audiovisual media. In Catalonia, the television audience in Catalan fell below 20% in 2017. In the other territories where Catalan is spoken, where the public authorities restrict reception of channels in Catalan, the audience is even lower and the Valencia Community Region currently receives no television in Catalan.



- In cultural sectors (Article 12) and socio-economic sectors (Article 13), the policies rolled out by the Catalan Government help to comply with the Charter. On the other hand, the Spanish State's interpretation of the principle of unity of the market hampers compliance with the Charter, for example with the objections to the Catalan Consumer Code, which provides for linguistic availability, or the Law of Cinema, which seeks to balance out the films in Catalan on offer. Moreover, the situation of the language is cause for concern in the health and social sphere and in social assistance. The data from the Linguistic Uses Survey show that from 2003 to 2013 the number of people who use mostly or exclusively Catalan with doctors fell by over 400,000. This was caused above all by the massive influx of professionals from the rest of Spain and abroad without the appropriate linguistic training. Furthermore, in Catalan it is practically non-existent in pharmaceutical information.

## **CATALAN IN THE BALEARIC ISLANDS**

**(Bernat Joan i Marí, Joan Melià Garí)**

- When evaluating compliance with the commitments taken on by Spain, it is necessary to take into account the general objectives sought and which are still valid rather than the specific measures explained to achieve them and which need to be updated due to all kinds of changes over the 25 years since the Charter was approved.
- The lack of concern from Spanish State bodies regarding compliance with the commitments taken on by ratifying the Charter in favour of the regional or minority languages in the various territories in the Kingdom of Spain means that citizens belonging to the same linguistic community spanning different autonomous regions see their linguistic rights treated very differently depending on the autonomous region where they happen to live. Furthermore, this leads to contradictions in applying the linguistic policy of the autonomous regions according to the political forces governing at the time (as can be seen with the alternating ones in the Balearics since 1999 until today).
- In the Balearic islands, the measures favouring the Catalan language that were taken in the sphere of education, evaluated in other reports by the Committee of Experts, were questioned and faced interference during the legislatures of 2003-2007 and 2011-2015 for political and electoral reasons rather than educational ones. The instability caused by these fluctuations has a negative impact on the effectiveness of the education given, and not only in the linguistic aspect.
- The aim of increasing schoolchildren's polyglot nature cannot be opposed to consolidating knowledge of the Catalan language, whether they are catalanophones or use other languages at home. The proposals in this sphere should not be based on demagoguery but on effectiveness and common sense.
- The nationwide media, whether public or private, must respond to the real plurilingual situation and foster respect, as opposed to what regularly happens in these media.
- It is necessary to increase the audiovisual productions on offer in Catalan in both the public and private media. One preliminary measure in this vein would be to ensure that all of the public and private Catalan media are received in all of the Autonomous Community regions with zones where Catalan is spoken.
- In the judiciary, the commitments taken on by the Spanish State are not met in almost any cases. Citizens who want their rights that are recognised by the Charter to be observed come up against many difficulties when they demand them, and even more or less explicit threats. This happens in the citizens' relationships with the security forces, above all with Spanish State corps.

- As for healthcare, there are constant difficulties in being assisted in Catalan. Steps are not taken regarding knowledge of Catalan by the professionals, which is necessary to be able to make progress towards the objectives in the Charter.

## **BASQUE (General)**

### **(Alberto Barandiaran, Eduardo Javier Ruiz Vieytez, Garbiñe Petriati)**

- Basque is a non-Indo-European language spoken today by almost a million people in the traditional territories of Biscay, Alava, Guipuzcoa and Navarre (the Kingdom of Spain) and in the territory of the Basque Municipal Community (French Republic). It enjoys official status in the Basque Country Autonomous Community region and in the so-called “bascohone zone” in the Chartered Community of Navarre, where it is spoken in the north-western third.
- Compliance with the Charter in terms of the Basque language in Spain is uneven and asymmetric depending on the Charter’s different articles and the public administrations involved in applying it.
- The general principles in Article 7 are only met to a limited extent with the Basque language. The Spanish State is required to sincerely accept the true plurilingual situation, for linguistic diversity to be valued also by the institutions as a whole and by Spanish citizens, and to eliminate administrative and territorial divisions that hamper the proper development of a minority language such as Basque. This particularly affects the situation in the Chartered Community of Navarre, where a legislative “linguistic zoning” is still applied that restricts the rights of many Basque speakers and which should be eliminated, officially extending the language to the territory as a whole, or at least to its capital, where most public and private agents work.

## **BASQUE IN THE BASQUE COUNTRY AUTONOMOUS REGION**

### **(Alberto Barandiaran, Eduardo Javier Ruiz Vieytez)**

- In the sphere of education, it can be said that the presence of Basque today is reasonably guaranteed, although failures to comply and insufficiencies can be seen in spheres such as professional or adult education.
- In the judicial system, Basque is still residual and the commitments taken on by the Spanish State on ratifying the Charter are clearly not met. The Organic Law on the Judiciary (LOPD) as it currently stands is incompatible with the Charter. It should therefore be modified or not applied in those sections.
- As for the public administrations in the Autonomous Community region, there have been significant advances in various sectors that depend on the autonomous (regional), provincial or municipal administrations, though there are still significant delays in guaranteeing services in Basque by the public health sector and the regional police force (Ertzantza). In spheres that depend on the General (Spanish) State Administration, the situation is manifestly worse and the commitments written in the Charter are not usually met.
- Basque has a minimal network of media available, which means compliance with Article 11 of the Charter, but these media are subject to great pressure in a situation of great linguistic imbalance. The different public administrations should increase the resources allocated to fostering the media in Basque, as well as cultural activities of all kinds. Along the same lines, the policies for promoting the use of Basque in economic and social spheres should be much more intense and where applicable include penalties when the minimum services are not guaranteed in the language.

## **BASQUE IN NAVARRE**

**(Alberto Barandiaran, Garbiñe Petriati)**

- The situation of Basque in the Chartered Community of Navarre reflects the same limitations and obstacles mentioned for the Basque Autonomous Community region, but aggravated by the effects of zoning and the result of many years of institutional policies reluctant to normalise this language found in Navarre.
- It is advisable to eliminate the administrative divisions that cause notable differences between speakers of any regional or minority language in the same autonomous region. Therefore, it is necessary to support application of the Charter throughout Navarre with a literal interpretation of the instrument for ratification (an aspect that, though it may make a lot of sense, is evidently not being done).
- Until this circumstance occurs, Part II of the Charter must be applied in zones of autonomous regions where, due to linguistic zoning, the language has its own particular nature but is not official, as is the case of Basque in much of Navarre.

## **FALA IN EXTREMADURA**

**(Tamara Flores)**

- There is no statutory recognition of Fala. The only legal recognition is a declaration as an Asset of Cultural Interest in 2001.
- There is a complete lack of information from the Extremadura regional government (*Junta*). This silence extends to various kinds of petitions made by town councils and associations to public bodies such as the Presidency and the regional Departments (*Consejerías*) for Education and Culture, Civil Works and Transport, Housing, Territorial Planning and Tourism.
- The information appearing in the fourth Spanish State report is all highly questionable. The introduction of the “*A Fala na escola*” programme into the education system is non-existent: only the “*Taller de Lingua*” workshop has been subsidised and the subsidy was withdrawn the following year even though it had full attendance signed up. As for the creation of the *Museu da Fala* museum, only the building’s renovation has been finished. There is no scheduling or budget allocation for its supposed functions.
- All of these initiatives related to Article 7 in 2014-2017 have been carried out by cultural associations or individuals without economic, logistical or human support. Certain measures are considered in the Action Plan for the Sierra de Gata Cultural Park (in the educational programme and the scientific programme). The park has the institutional backing of the Cáceres provincial government (*Diputación*).

## **GALICIAN IN ASTURIAS**

**(Carlos Xesús Varela Aenlle)**

- There is no real protection for Galician in Asturias by the Government of the Principality of Asturias. The Law of the Statute of Autonomy only considers “bable”. The 1998 Law on Use and Promotion of Bable/Asturian speaks of a regime of protection, respect, guardianship...that will be extended to Galician/Asturian in the zones where it has its own linguistic modality. It should be noted that this law only speaks of Asturian as a language belonging to Asturias, and never of Galician, which only appears as a “modality” (it is not known of which language) and the glotonym “*Fala*” is intentionally used, which does not indicate anything. These linguistic zones are not defined by the Asturian Government, so we can find that classes are given in Asturian language in Galician-speaking territory (as in Verducedo (Allande) and Luiña (Ibias)), just as the signage in the principality is given in Asturian in such disparate places as A Veiga, Valdebois (Ibias) and El Valledor (Allande), to mention just a few examples.

- Following Article 7 of the Charter, which concerns fostering Galician in Asturias, in the policy for subsidies it is not possible to officially demarcate the percentage allocated to Asturian and to Galician in Asturias. In any case, the results are no more than merely cosmetic, with the Government of the Principality playing to the gallery.
- Paragraph 7.1.e is clearly breached by the principality and by the *Academia de la Llingua Asturiana* (ALLA), since there is no kind of institutional relationship for the Galician speakers of Eo-Navia with the other Galician language territories; when they exist on a social or cultural level they are completely quashed by the Government, ALLA and certain Asturian institutions.
- As for point 7.1.f, there is no specific linguistic policy for the Eo-Navia area. ALLA has a completely inoperative secretariat and there are supposed Linguistic Normalisation Offices (Navia Historical Park, Ozcos-Eo Municipal Community) with no uniform, scientific criteria. In education, there is a palpable lack of materials, with no appropriate didactic units, copied from Asturian and sometimes from Galician. In order to give classes, it is necessary to do a course of 40 or 60 hours given by ALLA and to have a degree, preferably in Philology. The subject is optional, competing with others depending on the school, and it is not possible to choose in all of them. If we look further up in the education on offer, there is no course, subject or bachelor's degree in Galician in the University of Oviedo, nor in primary school teacher training, nor in the official schools of language (ongoing adult education). There are no programmes in Galician from Asturias on the TPA regional public TV (with the magnificent exception of *Camín de Cantares*, thanks to the presenter Ambás' personal initiative) and many programmes show a truly alarming level of acculturation between Asturian and Spanish. There should be a disconnection for the Eo-Navia zone, as happens in some programmes by Televisión ORT in Navia. Galician speakers' rights are also breached in RTPA (regional public TV and radio), since sections in Galician are only specific exceptions and always due to initiatives by individuals or cultural-linguistic militancy.
- There is clearly insufficient promotion for studies and research, which is often only provided via altruism from individuals and associations. There are no magazines or press in Galician from Asturias and the few subsidised books are obliged to be published with the Asturian regulations. And this is without mentioning the judicial, administrative or institutional fields (the principality's websites are never in Galician). There are occasionally proposals that are seldom carried out (the Declaration of Veiga, applications in Martín de Ozcos and El Franco, etc.).
- As regards toponyms, there is a *Xunta Asesora de Toponimia del Principáu d'Asturies* (advisory board) that sets out guidelines for traditional toponyms that should be used, but always with the Asturian language's spelling or even "officializing" toponyms in Spanish or vulgarisms. It is worth pondering that if "Asturian Galician" is not official, how can such toponyms be official? Another noteworthy factor is the supposed officialisation of "joint toponyms" used in any language, like "Ría del Eo", by which the Government of the Principality is violating the official nature of the toponym "Ría de Ribadeo", ratified by the National Geographic Commission of the Superior Geographic Council, which answers to the Ministry of Public Works and Transport, in 2008.
- From Galicia there is clearly a lack of interest in the matter. The *Real Academia Galega* (RAG, the Royal Galician Academy) should make a greater commitment to Galician outside Galicia, using the legal instruments at its disposal. It is inadmissible that only the opinion of ALLA, taken as the only "benchmark scientific institution", is used to evaluate the Charter as regards Galician in Asturias in the last report (IV, 2010-2013). The Government of Galicia (*Xunta*) has stated in newspapers that it was going to set up an office for Galician spoken outside Galicia. Even President Núñez Feijóo mentioned the co-official nature of Galician in Asturias some time ago, and the RAG also mentioned the launching of a seminar on exterior Galician. However, nothing more has been heard about the matter. The journalists in the media continue to use corrupted toponyms, and very seriously in TVG and RG. The latter has even received petitions from cultural associations from the area, but it rejects these or acts on them completely non-scientifically (*Alalá, Luar*). These media should include the exterior zones in their weather maps to indicate the cultural and linguistic reality, not the political one.
- Greater understanding is essential between the Galician and Asturian governments in linguistic matters regarding Galician in Asturias, since Galicia is better positioned in terms of materials, standardisation, etc.,

which are inexplicably rejected by Asturias. In addition, greater implication is necessary from institutional Galician bodies such as the RAG, the *Consello de Cultura Galega* (Council for Galician Culture, to provide more projects and publications about the zone), Galician universities (with the exception of the University of Vigo and individual initiatives from members of the University of Santiago de Compostela), the Government (*Xunta*) of Galicia, the Museum of the Galician People (*Museo do Pobo Galego*), the Archive of the Kingdom of Galicia (*Arquivo do Reino de Galicia*), libraries, etc. And Galician should be introduced in the University of Oviedo, in primary school teacher training and in the official schools of languages, as well as a delegation from TVG and RG for the zone.

## **GALICIAN IN CASTILE & LEON**

**(Héctor M. Silveiro Fernández)**

- Due to the importance of education today for any language and its future, we must warn that the application of LOMCE (the Organic Law for Improvement of Quality in Education) is causing problems in territories with an official language and especially in those where there is a non-official language (e.g. Galician in Castile & Leon). The problems are serious when it comes to maintaining the Programme for the Promotion of Galician in El Bierzo, with a comprehensive range of education on equal terms with other optional ones; these Galician speakers' linguistic rights are thus violated and the Charter's instructions are not met. We urge a review to improve and extend the Programme for the Promotion of Galician that is being applied in this Autonomous Community region.
- In territories where a non-official language is spoken and which have been suffering a loss of speakers for decades (as in the case of Castile & Leon), it is necessary to urgently introduce planned linguistic initiatives that go beyond the educational sphere, following the Charter's recommendations, and which tend towards an official nature. It is necessary to halt this decline, preserving traditional areas of use while opening up new ones beyond the educational sphere, which by itself is not enough to safeguard today's cultural wealth.

## **GALICIAN IN GALICIA**

**(Valentina Formoso, Xaquín Loredó, Alba Nogueira López, Xurxo Salgado, Elsa Quintas)**

- As regards Article 8, it is necessary to change the legislation by annulling Decree 79/2010 (the so-called Plurilingual Decree) in order to progress towards compliance with the commitments made in the Charter. This does not mean it is necessary to exactly take up the previous decree (124/2007) again, which is responsible for the progress mentioned in the 3<sup>rd</sup> report to evaluate the Charter (2006-2009), since society's attitude towards languages has changed since then, but it is necessary to return to the regulatory ideology that was behind it and to the consensus that fostered it.
  - Galician should be promoted in nursery education (the stage that has suffered the greatest impact since 2010). The advances made by the innovative projects put into practice from 2007 to 2009, which were given a positive assessment in the third report, should be used as a basis. It is not possible to continue with over 90% of nursery schools in urban areas using Spanish as their language. There is now a risk that with the Government's plurilingual nursery school project, English will no longer leave any room for Galician.
  - Any prohibition of Galician as a vehicular language should be eliminated for all subjects in the different educational stages. Galician must again become a language in which mathematics, physics, technology or any other subject can be and are explained. To do so, help must be given to draft materials in this language for all levels of education, affecting nursery and vocational education. Similarly, it is also necessary to eliminate the maximum limits established as percentages for use of Galician as a vehicular language.
  - Inclusive plurilingualism should be promoted, without leaving out any language and always based upon Galicia's own one, in other words Galician. For this reason it is necessary to change the legislation and the pernicious discourse that has spread from positions of power and which has led to Galician being viewed as a hindrance to becoming

more modern, more competitive, and having a greater future, and in order to be assured of success (which, in such a discourse, is only possible with English). It is necessary to advance towards the Integrated Treatment of Languages at all levels of education, always taking into account that Galician must be the basis, and suitably promoting it, due to its situation of inferiority.

- Galician must be fostered in technical and professional education, encouraging vocabulary to be drawn up for specific subjects, as well as teacher training in those fields. It is also necessary to link these actions to promotion of the language in the world of work.
- Teachers must be appropriately and continuously trained from the linguistic point of view (so as to acquire or maintain the necessary proficiency) and from the sociolinguistic point of view (to understand their responsibility in promoting the minority language and to act responsibly in drawing up linguistic projects for the educational centre, provided they become documents that are truly used and not mere bureaucratic procedures).
- Continual and permanent evaluation should be made of the points that the Charter says should be reviewed and controlled. This means presenting results as regards the teachers' and students' competences at all levels of education.
- Society should be sent messages about the need and suitability of promoting Galician in the field of education.
- The above activities should be carried out based on educational, not political criteria.
- As regards Article 9 (Justice), the law courts do not consult the parties when proceedings begin as regards the language they wish to be used in the proceedings.
  - If the interested party expressly requests the proceedings to take place in Galician, the request is not addressed. Respect for Galician speakers' linguistic rights in the courts depends on the willingness and awareness of each member of the judiciary, public prosecutor's office and other civil servants. Thus, Galician speakers' rights are continually and manifestly violated when they appear before the Justice Administration.
  - Current legislation in the Spanish State hinders guarantees for the linguistic rights in the Charter as regards the Justice Administration in terms of material equality. The state's short regulations on the use of Galician are not accompanied by a budgetary allocation nor steps to monitor and control compliance with them. The equality is formal and theoretical.
  - To ensure material equality, human and material means are necessary to enable tasks to be carried out in Galician. Above all, the agents who act in the Justice Administration should have technological tools and computer applications available in Galician.
  - Citizens resident in Galicia are denied the right to a trial or judicial process in Galician, and when this right is observed there are undue delays.
  - It is unfair and thus intolerable that civil servants who choose to carry out their work in Galician see their workload multiply because they do not have the appropriate tools and updated legislation in Galician.
  - The marginalisation of Galician is unacceptable in the Judicial Administration and contributes to the disappearance of this language. For these reasons, in this aspect (Article 9 of the Charter), the following steps are deemed to be urgent:
    - Minerva (software used in the judicial sphere) should also be available in Galician. The Government of Galicia (*Xunta*) is in breach of Article 9.2 of the Spanish Constitution by causing inequality to the detriment of Galician speakers.

- An online, updated and consolidated legislative database should be created in Galician, accessible to all legal practitioners (judges, lawyers for the government, civil servants, etc.).
  - Fundamental, basic texts for all courts should be distributed in Galician.
  - Article 142 of the Law of Civil Procedure and Article 231 of the Organic Law on the Judiciary (LOPJ) should be modified so that the parties may decide on which language to use in the proceedings.
- As regards Article 10, most of the government peripheral to the Spanish State in Galicia does not have the most common documents in Galician. Nor do their entrance tests or internal promotion procedures ensure that their employees prove their knowledge of Galician. There are relevant cases of attempts to deny public aid because a document in the case was in Galician, which has only been corrected after public controversy.
    - The Galician Administrations (autonomous region and local) comply with the commitments concerning processing and documents written in Galician. Oral assistance in Galician is more uneven in all governments.
    - Recently, the proliferation of electronic platforms in which the Spanish State administration obliges administrative documentation or tenders to be published has led the Galician administrations to draw up all such administrative documentation in Spanish (publication of contracts of European relevance, databases on subsidies, platform for monitoring the budgetary stability mechanisms, etc.). This means that in some cases it ends up being the only version.
    - Public services managed directly by government are dealt with partially in Galician, whether written or orally, without any definite action to correct this. The growing process of privatisation in the management of public services (healthcare, social, education) is leading the assistance for users to be given almost completely in Spanish, since government does not check that the Charter's commitments are being guaranteed on contracting services.
  - The real situation in Galicia also differs greatly from the provisions of the Charter on observing the media (Article 11), where there is compliance only with the existence of "at least one radio station and one television channel" in the language concerned. This does not occur as regards the guarantee to "encourage or facilitate the creation of at least one newspaper in the regional or minority languages" and the policy of cutbacks seriously endangers the commitment to "financial assistance also to audiovisual productions" in Galician. Likewise, in practice there is no commitment to supporting the education of journalists and other staff for the media that use Galician, although the Spanish State has agreed to do so. For the reasons above, as regards Article 11:
    - It is necessary to make progress in the law on institutional advertising which should obviously take into account the importance of Galician in the system of communication and prioritise this language above Spanish.
    - It is fundamental that this law should be clear and equitable and that the media in Galician should be able to present themselves on equal terms with the media in Spanish. This means breaking down the absurd barriers imposed by tenders such as the obligation of having a printed copy of the media or five employees on the staff.
    - For an up-to-date interpretation of the Charter's Article 11, the new true situation of the media should be taken into account and include a new section on digital media and social networks. It is essential to understand that, if Galician is alive today as a language of communication, it is thanks to the great range of digital media in the language.

- As for Article 12 (Cultural activities and facilities), it is necessary to point out that in Galicia there are a series of institutions responsible for defending, promoting and disseminating Galician language and culture within the territory and beyond. In any case, taking into account the nature of Galician sociodemographics, cultural production in Galician is relatively high. Nevertheless, there has been a decrease in public investment in cultural policies during the economic crisis. This has had a direct repercussion on the sector from which it has not yet recovered and which has affected government's ability to respond to the commitments made in the Charter.
  - Cinema is one of the media most affected by the process of globalisation and the introduction of new kinds of technology. Big audiovisual companies are setting the market dynamics and this is creating great difficulties in distributing audiovisuals in languages other than English, endangering linguistic diversity. In this context, a more resolute cultural policy is needed in favour of Galician in cinema than the one that has existed so far, with productions in Galician coming to less than a third. Furthermore, a deficit is seen in subtitling from other languages to Galician, and from Galician to other languages. In fact, subtitling in Galician cinema is promoted fundamentally via local initiatives.
  - It is necessary to draw up a comprehensive strategic project for culture in which linguistic diversity is one of the main drivers, based on new demands for culture with digitalisation and globalisation as some of the main challenges.
- As regards Article 13 (Economic and social life), the following aspects are noted:
  - In recent years, the Galician banking system has undergone a series of drastic transformations that have led to the disappearance of some entities, the fusion of others, and the introduction of new technologies in their ways of working. These circumstances have had a negative effect on the use of Galician, especially in writing, Internet transactions and cash dispensers.
  - Most of the Galician industrial fabric is defined as small and medium-sized enterprises, which in many cases need occupational and accountancy assessment. In Galician territory, it is difficult to find intermediary entities that provide documents in Galician, often because this option is not available in their management programs (e.g. payrolls).
  - Notaries do not ask their clients in which language they wish to carry out procedures. If clients demand texts in Galician, this leads to delays in processing. Services are provided almost exclusively in Spanish.
  - In the Galician healthcare services, there are difficulties in being given assistance in Galician, especially in hospitals and in some areas more than others, since this option is left to the professionals' willingness. Many professionals argue that they lack sufficient proficiency to write in Galician, but steps are not taken for all of the professionals to be able to work in Galician.
  - Given the importance of the pharmaceutical system as a link between the patient and the healthcare system, it is noted that there are also difficulties for people to be assisted in Galician in certain contexts.
  - Action is needed in the field of safety, since there are specific fields where safety measures are not available in Galician.
  - For all of these reasons, the following is necessary:
    - Urgent application of the steps listed in the *Plan de Dinamización da Lingua Galega no Tecido Económico 2016-2020* ("Plan to Activate Galician in the Economic Fabric"), accompanied by an assessment indicating the plan's level of success.



- Committed action in the healthcare system (including the pharmaceutical system) with action aimed at preferential oral and written service in Galician, providing the professionals with the necessary motivation and skills to do so.
- The necessary steps need to be taken for companies, employees, consumers and citizens to have safety materials available in Galician.
- The Linguistic Regulation Services need to be strengthened locally so as to continue their work towards linguistic activation in the economic sector and social services.

## **LEONESE IN CASTILE & LEON**

### **(José Ignacio Suárez García)**

- Although Leonese has been significantly recognised in the Statute of Autonomy since 2007, the institutions in Castile & Leon have not taken steps to protect this language, nor have they dictated any law to conserve, use or promote it.
- The 4<sup>th</sup> Report from the Committee of Experts underlines the complete lack of promotion for Leonese by the competent authorities. Moreover, it regrets that in Castile & Leon not even the Spanish State, the ultimate guarantor for applying the treaty, has provided the information that must be conveyed every three years in order to make an assessment of the extent of compliance with the Charter. The Council of Europe has again invited them to take specific, practical steps to facilitate and promote the use of Leonese in public life, as well as to include it in the Autonomous Community region's study plans.
- For these reasons, the most urgent proposals and priorities to safeguard Leonese are as follows:
  - The legal implementation of Article 5.2 and 5.3 of Castile & Leon's Statute of Autonomy, in keeping with the goals and principles set out in Article 7 of the Charter, so that Leonese and Galician may have the same regulatory and practical treatment, always addressing the specific sociolinguistic situations of the two languages in the Autonomous Community region.
  - The creation of an autonomous administrative body responsible for the work of protecting and promoting Leonese and Galician in order to lay down a coordinated, coherent, efficient and sustained policy to defend the two languages.
  - Leonese should be promoted based on respect for the varieties of the language and involving native speakers and inhabitants of areas where it is being conserved in the task of linguistic recuperation, with campaigns to recognise, disseminate, re-evaluate and raise awareness of the linguistic heritage, stimulating cultural contact among the speakers of Leonese with other zones that also have this language as their heritage, even if this is beyond the administrative borders of Castile & Leon.
  - Teaching of Leonese should be introduced in Castile & Leon's education system as a priority in zones where the language still exists, and in keeping with social demand in other zones. In any case, Leonese must be taught in nursery, primary, secondary and sixth-form education.
  - Autochthonous toponyms should be recovered, firstly making an inventory of the greater and lesser traditional toponyms so as to subsequently include them in geographic nomenclature and signage.
  - As for cultural policy, support should be given to cultural and literary productions in Leonese, as well as collaboration with organisations that promote the study and recuperation of Leonese, and the presence of the language in social media should be encouraged while fostering studies and research into Leonese.

## **PORTUGUESE IN EXTREMADURA**

### **(Eduardo Naharro Macías Machado)**

- Awareness should be raised among the citizens of the linguistic and cultural value of Portuguese. This work should serve to make headway in creating a society that accepts its uniqueness as part of its wealth.
- A database of Oliventine Portuguese should be created using technological means.
- Oliventine Portuguese should be valued for educational and cultural purposes (informative materials, publication of popular tales, intergenerational activities with the elderly and schools, literary prizes, etc.).
- It is necessary to foster a specific strategic plan for Portuguese aimed at true bilingualism in all fields (schools, citizens, institutions, etc.). Ideally, the relevant institutions should become aware that Portuguese in Olivenza is not a foreign language but a related language with a well-documented historical presence; in other words, a specific plan is necessary for Olivenza's education community and another for the citizens. The plan must be progressive. To launch it, the first option considered should be an examinable subject in all the schools where it is taught, at least with the same number of hours a week as other subjects of the same level.
- The Além Guadiana Cultural Association also proposes studying the possibility of introducing an exchange of one complete study year with students from the neighbouring town of Elvas, which would affect the students' school life after finishing primary and when studying in secondary. This would help bolster linguistic aspects as well as providing some immersion in the cultural, historic and day-to-day context, strengthening the amicable ties between families and neighbours who share so much. For teachers it would also be a good step to enrich their knowledge.
- Given our experience and the positive results from the action taken so far, Além Guadiana offers to act as an interlocutor for the possible procedures necessary between the institutions on the two banks of the Guadiana River.
- Furthermore, we consider that the Olivenza Town Council, through the People's University's *Áula de Língua e Cultura* (Portuguese Language and Culture Class Dept.), could help the education community with cultural activities that may be designed to familiarise Olivenza with its context in the lusophone sphere.
- As regards the citizens and in this same vein, the Town Council and the People's University must play a fundamental role in teaching Portuguese to people who cannot enter compulsory education.
- The Além Guadiana Cultural Association acknowledges that the institutions carry out activities, but considers them to be insufficient. This is why Article 7 of the Charter is not being met.

## **VALENCIAN IN MURCIA**

### **(Antoni Mas i Miralles)**

- The nine people studying primary education in the only single-classroom school located in Cañada de Trigo (Yecla) do not receive education in Valencian. Despite this, procedures are being carried out with the Murcian authorities to achieve this objective.
- Outside regulated education, the People's University of Yecla currently offers two Valencian courses (B2 and C1) for the general populace. These courses are subsidised by the *Academia Valenciana de la Llengua* (Valencian Academy of Language) based on an agreement with the Yecla Town Council.
- On 27 April, this academy published a pamphlet listing the toponyms of the area of El Carxe.
- The work done by Anxo Navarro Sánchez via publications should be underlined, as well as proposals to the autonomous regional government to take into account the declaration of Valencian in El Carxe as immaterial cultural heritage and the inclusion of the language in the Statute of Murcia's text.

- Thanks to the cross-border responsibilities between communities that share the same language, as championed by the Charter, the Government of Valencia (*Generalitat*) included the name of El Carxe in a legal text for the first time, together with the possibility of receiving subsidies for promoting Valencian.
- Based on this Order, the Government of Valencia made a commitment to fund some activities and concerts in Valencian throughout 2017.
- Given this situation, the following steps are recommended:
  - To offer education in Valencian to students in El Carxe.
  - To maintain the collaboration between Yecla Town Council and the Valencian Language Academy to provide Valencian language courses.
  - To make the suggestion to the other two town councils in El Carxe (Jumilla and Abanilla) so that in collaboration with the Valencian Language Academy they may provide Valencian courses in the two towns.
  - The Murcian autonomous authorities should declare Valencian in El Carxe to be an Asset of Cultural Interest, since they have the legal resources to do so.
  - They should also introduce recognition of the Valencian spoken in part of their region into the Statute of Autonomy's text.
  - The autonomous regional governments of Murcia and Valencia should establish relations to maintain the aid and subsidies to foster Valencian in El Carxe.

## **VALENCIAN IN THE VALENCIA AUTONOMOUS COMMUNITY**

### **(Adria Martí-Badia, Lluís B. Polanco Roig)**

- The extent of compliance with the European Charter for Regional or Minority Languages in the Valencia Autonomous Community region must be assessed in the constitutional and statutory context of the “mixed” model for regulating linguistic rights and uses, which promotes almost complete monolingualism in the Spanish state's central institutions (including the media, etc.) and creates serious obstacles to simply recognising some almost exclusively personal linguistic rights in the minority language in its territory.
- The restrictive interpretation and application of this model (which is more systematic by the Spanish state and often by some autonomous regional governments) has hindered and continues to put obstacles not only to compliance with some of the Charter's articles, but also to the consolidation (symbolically and in effective usage) of an integrating, plurilingual and pluricultural model of state, based on recognition of a resolutely priority status for minority languages in their territories that would ensure processes of recuperation (in the face of historically imposed regressive dynamics) and a general consolidation of their use and knowledge of them in the medium and long term, as well as complete preservation and expansion of the linguistic communities.
- The lack of a resolute territorialisation of the regional language (and strong, integrated policies of generalisation of knowledge and use of it in all spheres) has resulted in the consolidation of a highly precarious situation (worrying levels of linguistic replacement, lack of linguistic integration of new residents, flagrant imbalance of receptive and above all active oral and written knowledge of the two official languages among the populace, lack of services and spheres of essential use for the regional language, etc.) which, at least in terms of such values today, raises serious doubts about simply fully maintaining and consolidating the linguistic community in future.

- As regards the Charter, one must differentiate between two periods differentiated by the political change that took place in the autonomous regional government and in many towns in June 2015. In the first period, as warned in the last report by the Committee of Experts (2010-2013), different infringements or partial compliances can be seen. In the current period, there seem to be more partial compliances, apart from some measures that enable a rise to be seen in complete and partial compliances in the medium term.
- As regards Article 8, one of the notable reiterated infringements in the first period (2014-2015) is the approval and application of Decree 127/2012 of 3 August by the Valencian Government, regulating trilingual education in non-university education. The intention with this was to extend the presence of one or more foreign languages (essentially English) in the education system to the detriment of teaching the regional language, oral and written knowledge of which is not guaranteed at all with its current presence in the education system, as shown by the most recent linguistic surveys and census. The denounced lack of compliance has been worsened in numerous cases by the suppression of educational units (groups) in publicly run schools that used Valencian as the vehicular language.
  - On the other hand, in the more recent period, the approval of Decree 9/2017 of 27 January is notable, which establishes the Valencian educational linguistic model and regulates the application of non-university teaching. This establishes a single Dynamic Plurilingual Education Programme (PEPD) with six possible levels (more plurilingual the higher the level) chosen by the school boards in each school. The highest two levels (Advanced 1 and Advanced 2) are the ones that guarantee students reach an even level in the two official languages (Spanish and Valencian) and an acceptable level of English. Thus, if the schools choose to progress in the advanced levels, the number of plurilingual students will be greater than with the previous decree, without the plurilingual education harming the teaching in Valencian (with no detriment to knowledge of Spanish, either). The Valencia Community region's Supreme Court of Justice (TSJCV) has suspended the application of the aforementioned Decree 9/2017 as a cautionary measure. This hinders its application in the upcoming school year (2017/2018).
  - One important step in formalising education of the local language outside the regular education system is the equal standing given to official certificates of knowledge (for which the *Junta Qualificadora de Coneixements de Valencià* (Valencian Knowledge Qualifying Board) is responsible) with the levels of the Common European Framework of Reference for Languages and the homologation with other certificates from the rest of the Valencian-Catalan linguistic domain (Order 7/2017 of 2 March, from the *Conselleria d'Educació, Cultura i Esport* (regional Education, Culture and Sport Department)).
- In the sphere of justice (Article 9), as happens in other autonomous community regions with their own language, there is still a contradiction between the provisions of the Charter (Art. 9.1.a.i, b.i, c.i) and Spanish legislation (specifically, the Organic Law on the Judiciary (LOPJ), Art. 231), which prevents a trial from being held in the minority language if one of the parties so requests, as denounced in the 4<sup>th</sup> Report by the Committee of Experts (20102013).
  - There are insufficient data on knowledge of the regional language (oral and written, especially in judicial records) among the staff in the Judicial Administration and the judicial staff itself (judges and magistrates, lawyers, court representatives, public prosecutors, etc.) or precise data on real use of the language in the Judicial Administration, which in any case are slight and practically non-existent.
  - It seems clear that, although formally the rights to expression and communication in Valencian seem to be observed in dealings with and within the judicial institutions (always when requested by a party because the Organic Law on the Judiciary (LOPJ) and rest of the legislative regulations impose Spanish by default), there are still powerful dissuasive elements among the populace to make such use of it (or demand it): the perception of defencelessness, the lack of direct assistance or receptiveness by the legal practitioners, the delay interrupting proceedings (in some cases denounced as a direct threat), not forgetting the well-known diglossic habits that are fostered.

- The current regional autonomous government, insofar as it has the competences in terms of managing the Judicial Administration, has begun new projects (which until now were minimal) to extend linguistic education and consultancy for judicial civil servants or to prepare future jurists and raise awareness among them. All in all, given the centralised, hierarchical organisation of Spanish judicial power, it has hardly any capacity to guarantee that the main judicial practitioners (and particularly the judiciary) may access their posts (via suitable training and selection) with sufficient proficiency in the local language, or in any case in the users' two official languages.
- As for linguistic uses by the governmental administrations' authorities and public services (Article 10), significant differences are detected between the different administrations, and even within them between different types of services and geographic areas in the Autonomous Community region.
  - The Spanish State administration in the Autonomous Community region (Art. 10.1) has accumulated many of the incidents for infringement of linguistic rights, revealing significant voids as regards the population's needs, the current legislation (Statute of Autonomy and Law on Usage and Teaching of Valencian) and ultimately the commitments made in the Charter. In this vein, the reiteration and seriousness of many complaints registered in annual reports by the autonomous region's Public Ombudsman (*Síndic de Greuges*) to the Valencian Parliament (*Cortes*), documented by various NGOs (*Escola Valenciana*, *Plataforma per la Llengua*, *ELEN*, etc.) or widely publicised in the media (with legal consequences in various cases), have led to protest and intervention by the autonomous regional government against the representatives of the Spanish state in the Autonomous Community region.
  - This has not stopped the regional government in recent years from partially proceeding to teach the territory's language to civil servants who work with the public (and to a lesser extent the security forces) and sporadically providing citizens with printed information or web pages in the co-official language, though it is often only partially present (headings, landing pages of official websites, etc.). The same can be said of some of the Spanish state administration's services (state ministries or agencies) offered via the Internet.
  - As regards the regional autonomous government (Article 10.2), the regional language is more regularly present (together with Spanish) in printed text addressed to the citizens and in linguistic education and civil servants attending to the public, although significant gaps and big differences are seen depending on the department or geographic area. As shown by the recent *Enquesta 2016. Ús del valencià en l'Administració de la Generalitat* (2016 Survey. Use of Valencian in the Valencian Government Administration), the regional language is far from being the Valencian government's general and habitual one, as proposed by the Charter (Art. 10.2.a).
  - In order to remedy the above imbalances, and to ensure generalised use of the regional language as the autonomous regional government's language of work (still a distant goal in many areas) and to guarantee service to the citizens in the two official languages in all cases (fulfilling Article 10.2.a of the Charter), the autonomous regional government recently approved Decree 61/2017 to regulate the institutional and administrative use of the official languages, which generalises the internal use of the regional language, providing citizens with this option in dealing with any civil servant (Art. 16 of the decree) and fostering its use in institutional posts. Likewise, regulations are being planned on generalised knowledge of the two official languages by government civil servants via an upcoming Law on Public Employment in the Valencia Community region. In order to back knowledge and use of the language among civil servants, the autonomous regional government has launched the so-called "Plan for linguistic accompaniment for staff of the Valencian Government Administration", presented in May 2017.

- As indicated in the previous report, many of these unequal characteristics (depending on the institution or geographic area) are shared by local administrations: to a greater or lesser extent, the regional language is used in internal documents, municipal plenary meetings and in written or printed texts received by or addressed to people using the administration's services (Art. 10.2.a, b, f). Nevertheless, at the moment there are no new specific data nor have any general activities been planned to improve these situations. In terms of toponyms alone, the data show that in 2014-16 the Valencian form was recovered for 13 toponyms, so that out of the 395 municipalities in the Valencian-speaking areas, 327 have the official name in Valencian, 34 bilingually and 34 in Spanish.
- A special mention should be made for the public services given or guaranteed by the governmental administrations, in particular in the health service (Art. 10.3.a), where the staff's lack of linguistic preparation (often not even the minimum) and awareness about the users' real plurilingual situation has led to numerous incidents (lack of medical assistance, poor verbal treatment, etc.), indicated by different institutions and the media.
- Behind most or many of the differences detected in the administrations there is a lack of definite and general policies to recruit civil servants (or to train the existing ones) to guarantee not only adequate but comparable skill in the region's two languages (Art. 10.4.b). This failing is due to the lack of resolute political will in the autonomous region as well as the legal hurdles at the Spanish state level and other reasons related to occupational matters. Faced with these difficulties, various simply palliative measures have been applied: specialised translation software has been developed (particularly the SALT program), abusive or unskilled use of which has often been detected; oversized teams have been developed that are competent in translation and correction but which, aside from their efficient work, often act to cover up the aforementioned underlying deficits (Article 10.4.a).
- As regards the media (Article 11), there is still a complete lack of radio and television broadcasts in the regional language throughout the Valencia region. This was denounced in the previous fourth report (2010-2013) by the Committee of Experts (Article 11.1.a.i), after the closure in November 2013 of radio and television channels managed by the entity Radiotelevisión Valenciana SAU (Law 4/2013). The damage caused by this lack of public presence of the language is enormous due to the lack of shared cultural references and the loss of speakers' skills in cultivated public models of the language, as well as the disappearance of much of the Valencian audiovisual sector.
  - In addition, there is the persistent policy of total obstruction (by different regional autonomous governments) to the reception of other channels in the same language (flagrantly contravening Articles 7.1.e and 14.b of the Charter). As a result, in February 2011 the four channels of the Catalan public television (TV3, C33, 3/24 and 300) ceased in the Valencia region, and in 2014 the Catalunya Radio stations stopped after 26 and 27 years of reception respectively, which had been provided by repeaters installed by the public's initiative. An "Agreement in Principle" approved by the Valencian Parliament in June 2013 to allow for reciprocal reception of the Catalan and Valencian TV channels (and eventually the Balearics) has been suspended for the time being (due to the lack of Valencian broadcasts caused by the lack of a new "digital multiplex" concession).
  - In spite of this, the broad social demand for public media in Valencian has led to the approval of the new Law 6/2016 on Public Service Radio Broadcasting and Television in the Regional Autonomous Sphere, which allows for the creation of a new Valencian Media Corporation (CVMC) and establishes that Valencian "shall be the vehicular language of the public media that depend on the "Government of Valencia" (Article 5.n). According to the sources consulted, the current deployment of the law and the models for hiring staff and products aim to guarantee compliance with these goals of generalised presence for the regional language in line with the expectations of many citizens, as seen in all the surveys. All in all, the date for the new broadcasts on radio and TV to begin has not yet been set.

- As for local or county radio and television channels (Article 11.1.b.i, c.i), which have less social impact, compared to the chaotic situation before (indicated in the corresponding report for 2010-2013) with uneven compliance (often minimal or none) with the demands for presence of the regional language, the new Decree 4/2017 has been approved, regulating “the services and registration of audiovisual communication providers” and establishing minimums for broadcasting in the regional language (70% in the Valencian-speaking zone) and setting the number of hours proposed in the language as the criterion for evaluation for awarding tenders. As for licences for private channels, in 2016 there were 40 television channels granted throughout the territory (2 throughout the Valencia autonomous region and the rest in 18 zones including the city of Valencia, with 2 channels). For radio, after the irregularities that prevented concessions being awarded in 2007 and 2011, new radio licences may be awarded in 2017 in accordance with the new criteria of Decree 4/2017.
- It should be noted that there is a shortage of autonomous regional mechanisms to control and supervise the extent of the presence (and even the quality) of the language in the media, and ultimately of compliance with the legal requirements as regards private radio and TV channels and the future public channels. It would seem wise to propose that in future reports, plans for such periodic official evaluations should be taken into account.
- As for the written press, there is still no printed newspaper in the general Valencian area that is exclusively or predominantly in the regional language. Institutional backing is given in the form of subsidies to some weekly or monthly printed magazines (with scarce or variable dissemination), digital newspapers completely or partially in the regional language (or digital versions in Valencian of general information printed newspapers, as well as cultural or regional supplements in printed newspapers for the autonomous region or even Spain). In some cases, the very poor language level of the versions in Valencian has been especially criticised, particularly in the digital versions. It is worth considering the need for periodic evaluation of the effectiveness (quantitatively and qualitatively with regard to the different social parameters) of the aid given to promote the written press (on an autonomous regional level as well as with regard to the Charter) that would enable future policies to be re-oriented.
- The very poor reading levels (of press and in general) in the territory, the far-reaching transformations in the press today and the still deficient reach of knowledge of the written language, all call for powerful, innovative strategies to support this sector in the regional language, which perhaps should also be evaluated (even with regard to compliance with the Charter) in future.
- As regards Article 12 (Cultural activities and facilities), in the first political period, which was characteristic for infringements, partial compliance and a lack of information given to the Council of Europe, many of the commitments in the Charter had to be guaranteed by non-governmental organisations such as Escola Valenciana and by entities and institutions like the University of Valencia, the University of Alicante, the Jaume I University (Castellón), the Valencian Academy of Language and some town councils.
  - In the second period, broader commitments have been fulfilled, above all as regards the drastic increase in investment in linguistic policy (97% compare to the budgets of the Government of Valencia in 2015 and 2016): €13.2 million for the General Directorate of Linguistic Policy and Management of Multilingualism, whose allocations include different subsidies for translation and publication of works in Valencian and the promotion of translation services and terminological research. As for stimulating the use of the regional language in socioeconomic and consumer life, the Government of Valencia has announced among other measures the application of tax breaks for companies that have a “linguistic quality seal” in recognition of the use of different official and foreign languages.

- There are still infringements of linguistic rights in social and economic life (Article 13) in the sphere of commerce and direct consumption in the new telephone or online services from big nationwide or international private or semi-official companies. The seriousness and frequency of these occurrences, which are occasionally denounced by NGOs (Escola Valenciana, Plataforma per la Llengua, etc.) and widely publicised in the media, show the need for a new Law on Linguistic Standardisation (or on Linguistic Equality) that takes into account technological progress and consumption habits in recent decades, effectively protecting the use of the regional language in much wider spheres and protecting the users too, if necessary with some kind of penalty, against these infringements of rights, since not all of them are accounted for in the Law 4/1983 of November on the Use and Teaching of Valencian, currently in force.
- For all of these reasons, it is absolutely necessary to continue working hard and urgently to comply with the commitments in the Charter and for the steps taken by the governmental administrations in recent times not to be endangered or negatively altered as a result of the eventual changes in government in the different public administrations.

These conclusions have been undersigned by the participants in this forum:

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- Anchel Reyes
- Antoni Mas i Miralles
- Carlos Pulgar García
- Carlos Xesús Varela Aenlle
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