

Ochrona języków naturalnych

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Tom I

Ochrona języków naturalnych

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"As languages disappear, cultures die. The world becomes inherently a less interesting place, but we must also sacrifice raw knowledge and the intellectual achievements of millennia".

(Kenneth Hale 1934–2001)

POZNAŃ 2007

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(Podstawowe dokumenty dotyczące ochrony języków naturalnych jako języków narodowych i etnicznych oraz prawa do ich używania, wraz z bibliografią dotyczącą wkładu językoznawstwa do dyskusji nad problemem ochrony języków naturalnych, ich utrzymywania i planowania językowego)

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Wstęp

Język stanowi dobro ogólnoludzkie o wyjątkowym charakterze. Jest on bowiem nie tylko najważniejszym narzędziem komunikacji pomiędzy ludźmi zawsze przecież mówiącymi jakimś językiem bądź językami i jednocześnie będącymi zawsze członkami jakiejś określonej wspólnoty kulturowo-językowo-komunikacyjnej ale też i swoistą formą długoterminowego zapisu kultury tejże wspólnoty kulturowo-językowo-komunikacyjnej, jej modelu świata, bogactwa nagromadzonej w dłuższym przedziale czasu wiedzy o świecie jak i ewolucyjnie rozwiniętych i preferowanych przez tę wspólnotę form komunikacji werbalnej. Jednocześnie wiemy na podstawie wyników prowadzonych od wielu lat badań nad dotychczas zachowaną różnorodnością językową, że poszczególne języki – tak jak gatunki biologiczne – często podlegają tym samym nieuchronnym procesom zanikania, zwanym również ‘śmiercią/zanikiem języków’ (ang. *language death/language loss*). Z tych też względów język jako taki, a także każdy język narodowy czy etniczny jako jeden z wyczuwalnych i wymierzalnych przejawów różnorodności w świecie człowieka, powinien podlegać i podlega szczególnej ochronie jako wyjątkowo ważne dobro kulturowe przynajmniej w dwóch podstawowych wymiarach:

- a) w wymiarze obiektywnego faktu, tj.:
 - istnienia języka jako doniosłego faktu społeczno-kulturowo-komunikacyjnego, obejmującego całą ludzkość zorganizowaną w lokalne wspólnoty kulturowo-językowo-komunikacyjne,
 - istnienia różnorodności językowej przejawiającej się w formie istnienia ciągle jeszcze wielkiego bogactwa języków narodowych i etnicznych o różnym zasięgu i sile oddziaływania jako jednego z najistotniejszych elementów dziedzictwa kulturowego określonych wspólnot kulturowo-językowo-komunikacyjnych, a więc różnorodności wartiej nie tylko zachowania ale i stałych wysiłków pielęgnacyjnych zarówno przez indywidualnych użytkowników jak i organizacji do tego powołanych

- b) w wymiarze uniwersalnego prawa każdej ludzkiej jednostki do używania języka tej wspólnoty kulturowo-komunikacyjnej, w której wyrosła i z którą dana jednostka się utożsamia, zarówno w warunkach członkostwa w uprzywilejowanej większościowej wspólnocie kulturowo-komunikacyjnej jak i w warunkach uczestnictwa w podobnej wspólnocie o charakterze mniejszościowym.

Międzynarodowe gremia i organizacje, zarówno te o znaczeniu ogólnosiwiatowym, np. ONZ, jak i te o charakterze regionalno-kontynentalnym, np. europejskie, amerykańskie, afrykańskie, australijskie, azjatyckie, takie jak chociażby Society for the Study of the Indigenous Languages of the Americas, Clearinghouse for World Endangered Languages, Foundation for Endangered Languages, etc., poczyniły w ostatnich dziesięcioleciach wyraźne starania, aby język jako szczególnie przejaw dziedzictwa kulturowego, wręcz jako skarb ludzkości, stał się obiektem wyjątkowej ochrony głównie za pomocą różnych dokumentów o charakterze prawnym. W tym też znaczeniu prezentowany poniżej zestaw dokumentów prawnych, tutaj głównie o zasięgu międzynarodowym, odzwierciedla właśnie ten podwójny charakter zawarty w punktach (a) i (b) powyżej. W ten sposób zestaw ten zawiera odniesienia do języka jako najważniejszego narzędzia komunikacji wypracowanego przez człowieka jako szczególnie gatunek biologiczny w długim okresie jego społecznego bytowania jak i właśnie owego wyjątkowego skarbu danej wspólnoty kulturowo-językowo-komunikacyjnej.

Waga zagadnienia zabezpieczenia każdemu człowiekowi prawa do ekspresji w danym języku naturalnym-ojczystym jako fundamentalnym składniku jego tożsamości kulturowo-etniczno-narodowej, jako swoista forma odpowiedzi na podstawowe pytanie: „czy warto dzisiaj zabiegać o zachowanie i ochronę istniejącej różnorodności języków naturalnych?“, widoczna jest aż nadto wyraźnie w prezentowanym w niniejszej publikacji zestawie dokumentów. Mają one, co można uważać za rzecz normalną, zróżnicowaną doniosłość odzwierciedloną na trzech głównych poziomach: globalnym, regionalnym i państwowym (krajowym). Są więc tutaj dokumenty dotyczące najbardziej uniwersalnych praw ludzkich o charakterze deklaracji a także dokumenty mające zastosowanie w określonych strukturach i kontekstach społeczno-prawnych (np. oświadczenia i wytyczne dotyczące różnych języków etnicznych i narodowych). Najogólniej rzecz biorąc przedstawione w niniejszym zestawie dokumenty podzielone zostały na następujące główne kategorie:

- deklaracje (declarations)
- konwencje (conventions)
- ugody (covenants)
- traktaty (treaties)

- konstytucje (constitutions)
- statuty (charters)
- rekomendacje (recommendations)
- inne dokumenty (other documents), w tym, między innymi:
- decyzje konferencji na szczycie (summit decisions)
- protokoły (protocols)
- oświadczenia i wytyczne stowarzyszeń i organizacji naukowych (statements and guidelines of scientific associations and organizations).

Większość dokumentów napisana została w języku angielskim, co jednoznacznie podkreśla podstawową rolę tego języka jako języka swoistej międzynarodowej niszy obywatelskiej i zawodowej o charakterze zarówno globalnym jak i regionalnym, np. jako języka komunikacji podczas posiedzeń najważniejszych międzynarodowych gremiów (jak np. różne agendy ONZ, w tym UNESCO, Rada Europy, Organizacja Państw Amerykańskich, Organizacja Jedności Afrykańskiej, etc.) jak i charakter tego języka w oddziaływaniu międzynarodowym ostatnich dekad, co uwidoczniło się w użyciu języka angielskiego w najważniejszych dokumentach wyrażnie o zasięgu globalnym i regionalnym (np. kontynentalnym i subkontynentalnym). Jednocześnie dla łatwiejszego dotarcia do odpowiednich fragmentów tekstów o charakterze bardziej ogólnym, bezpośrednio nawiązujących do języka, podano tylko te fragmenty. Natomiast teksty poświęcone językowi jako takiemu i językom naturalnym podano w całości. Dla czytelnika polskiego podano dodatkowo angielskie tłumaczenie odpowiednich paragrafów Konstytucji RP z dnia 2 Kwietnia 1997 roku. Ponadto uwzględniono pełen tekst najważniejszej ustawy dotyczącej języka polskiego („Ustawa o języku polskim”), jak też podano tekst najnowszej „Ustawy o mniejszościach narodowych i etnicznych oraz o języku regionalnym”, a także włączono fragmenty głównego dokumentu Rady Języka Polskiego. W ten sposób istotne fragmenty najważniejszych dokumentów odnośnie ochrony języka polskiego mają dać czytelnikowi jasne pojęcie o fundamentalnym znaczeniu tego języka dla większościowej polskiej wspólnoty kulturowo-językowo-komunikacyjnej zamieszkującej rdzenny ‘habitat’ Rzeczypospolitej Polskiej, ale i dla mniejszościowych wspólnot polskich żyjących w licznych i rozsianych po całym świecie diasporach, w kontekście innych dokumentów zawartych w niniejszym opracowaniu. Mają one również na celu poinformowanie zainteresowanego czytelnika o charakterze poczynąń ze strony odpowiednich gremiów państwowych i społecznych odpowiedzialnych za ochronę prawną języka polskiego jako konkretnego języka naturalnego, narodowego i etnicznego.

Na końcu podano zarówno listę wybranych organizacji i instytucji zajmujących się zagadnieniami ochrony, utrzymania i rozwoju języków natu-

ralnych jak i obszerną bibliografię prac obejmującą najważniejsze dotychczasowe, niezwykle zróżnicowane i bogate osiągnięcia językoznawstwa w tym zakresie. Bibliografia ta uwzględnia także szeroko potraktowane zagadnienia ekologii języka i komunikacji, ochrony języków naturalnych, zarówno tych 'dużych' jak i 'małych', jak też i problematyki polityki językowej. Ponadto podano listę czasopism prezentujących na swoich łamach publikacje z zakresu szeroko pojętej ochrony języków naturalnych i planowania językowego. Decyzja co do uzupełnienia zaprezentowanych w niniejszej publikacji tekstów tak obszerną bibliografią została umotywowana koniecznością podkreślenia, jak ważnym jest dla całej społeczności świata rozwijanie wrażliwości na problem istnienia różnorodności językowej i kulturowej oraz na zagadnienie utrzymania i ochrony jak największej liczby języków naturalnych w obliczu dokonujących się obecnie różnorodnych procesów globalizacyjnych, wśród których utrzymująca się globalna dominacja języka angielskiego jest jednym z jej najwyraźniejszych przejawów. Elementy te uwzględniono także mając na uwadze fakt, że informacja tam podana jest naturalnym i wręcz koniecznym uzupełnieniem zawartych w niniejszej publikacji tekstów i że zatem może okazać się pomocną tym wszystkim, którzy zapragną zająć się bliżej lub zajmują się zagadnieniami związanymi z ochroną istniejących języków naturalnych.

Mam przy tym nadzieję, że publikacja ta okaże się także przydatną dla nauczycieli języków obcych, zwłaszcza języka angielskiego, którzy w większym niż dotychczas stopniu powinni starać się realizować w swojej praktyce dydaktycznej model ucznia języka obcego jako kandydata na 'komunikatora transnarodowego-transkulturowego-transjęzykowego', a więc takiego, który nie tylko będzie przyswajał sobie dany język obcy 'wąsko', a więc w zakresie jego struktur fonologiczno-morfologiczno-syntaktycznych, przy okazji nieświadomie spychając swój język ojczysty do rangi substratowego języka etnicznego, lecz że będzie uczył się języka obcego 'szeroko' jako jeszcze jednego przydatnego narzędzia komunikacyjnego, a więc na tle swojego języka rodzimego, koniecznie z zachowaniem swojej tożsamości etnicznej i jednocześnie towarzyszącego jej rozwoju własnej świadomości odnośnie równego statusu swojego języka ojczystego i swojej rodzimej kultury w kontekście nieuniknionego i rosnącego kontaktu z innymi językami i kulturami (tzw. program lojalnościowy). W ten sposób ta ważna grupa społeczno-zawodowa, jaką są nauczyciele języków obcych, będzie mogła jako całość wziąć aktywniejszy udział w tworzeniu odpowiednio zróżnicowanego i zrównoważonego ekośrodowiska językowo-komunikacyjno-kulturowego w skali całego globu (zatem w ujęciu geolingwistycznym), korzystnego dla przetrwania różnych języków naturalnych w światowym układzie kulturowo-językowo-komunikacyjnym. Będzie też więc mogła poszerzyć w istotny

sposób zakres swoich kompetencji zawodowych o dość wcześnie rozpoznaną przez gremia badaczy i praktyków z zakresu planowania i polityki językowej i uznawaną wśród socjolingwistów, etnolingwistów i ekolingwistów za konieczną świadomość istnienia i utrzymywania równoważności wszystkich języków naturalnych i ich społeczno-kulturowych nośników w perspektywie multietnicznej, multikulturowej i multijęzykowej.

Inspiracją do przygotowania tego zbioru były wykłady z ekolingwistyki, które od kilku już lat prowadzę w Katedrze Ekokomunikacji UAM. W ramach tych wykładów zagadnienie ochrony języków naturalnych traktowane jest jako jeden z istotnych wykładników tzw. tężyzny języków naturalnych. Waga tego wykładnika ma często decydujące znaczenie dla podjęcia starań o utrzymanie tego czy innego języka naturalnego przez dany organizm państwowy czy wspólnotę kulturowo-językowo-komunikacyjną.

W tym miejscu szczególne podziękowania składam Panu Prorektorowi UAM, Prof. dr hab. Kazimierzowi Przyszczyckowskiemu, którego życzliwość umożliwiła sfinansowanie tej publikacji. Serdeczne podziękowania składam także Pani mgr Elwirze Wilczyńskiej za wielkie zaangażowanie, trud i cierpliwość w wykonaniu pierwszej wersji elektronicznej niniejszej publikacji.

Stanisław Puppel

Dokumenty

DEKLARACJE (DECLARATIONS)

Universal Declaration of Human Rights

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Members States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respects for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all rights and freedoms set forth in this Declaration, without distinction of any kind, such race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right of life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall to be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

Everyone has the right to recognition everywhere as a person before the law.

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by the law.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

(1) Everyone has the right to seek and enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

(1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit and is entitled to protection by society and the State.

Article 17.

(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Article 21.

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

Everyone, as member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human right and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized.

Article 29.

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his right and freedoms, everyone shall be subjected only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any the rights and freedoms set forth herein.

Universal Declaration of Linguistic Rights

This declaration is the result of efforts of a number of organizations (the International PEN Club's Translations and Linguistic Rights Committee and the Escarré International Centre for Ethnic Minorities and Nations) which entrusted its preparation to a committee of fifty experts. It was finally approved on 6 June 1996 in Barcelona, Spain, by two hundred and twenty persons from almost ninety different states, representing some one hundred NGOs and International PEN Club Centres. The text of the Universal Declaration can also be found in Spanish, French and Catalan versions at the Internet site of the Centre Internacional Escarré per a les Minories Ètniques i Nacionals.

PRELIMINARIES

The institutions and non-governmental organizations, signatories to the present Universal Declaration of Linguistic Rights, meeting in Barcelona from 6 to 9 June 1996,

Having regard to the 1948 Universal Declaration of Human Rights which, 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 which, in its second article, establishes that "everyone is entitled to all the rights and freedoms" regardless of "race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status";

Having regard to the International Covenant on Civil and Political Rights of 16 December 1966 (Article 27), and the International Covenant on Economic, Social and Cultural Rights of the same date which, in their preambles, state that human beings cannot be free unless conditions are created which enable them to enjoy both their civil and political rights and their economic, social and cultural rights;

Having regard to Resolution 47/135 of 18 December 1992 of the General Assembly of the United Nations Organizations which adopted the Declara-

tion on the Rights of Persons belonging to National, Ethnic, Religious and Linguistic Minorities;

Having regard to the declarations and conventions of the Council of Europe, such as the European Convention for the Protection of Human Rights and Fundamental Freedoms, of 4 November 1950 (Article 14); the Convention of the Council of Ministers of the Council of Europe, of 29 June 1992, approving the European Charter for Regional or Minority Languages; the Declaration on National Minorities by the Summit Meeting of the Council of Europe on 9 October 1993; and the Framework Convention for the Protection of National Minorities of November 1994;

Having regard to the Santiago de Compostela Declaration of the International PEN Club and the Declaration of 15 December 1993 of the Translations and Linguistic Rights Committee of the International PEN Club concerning the proposal to hold a World Conference on Linguistic Rights;

Considering that, in the Recife, Brazil, Declaration of 9 October 1987, the 12th Seminar of the International Association for the Development of Intercultural Communication recommended the United Nations Organization to take the necessary steps to approve and implement a Universal Declaration on Linguistic Rights;

Having regard to Convention 169 of the International Labour Organization of 26 June 1989 concerning Indigenous and Tribal Peoples in Independent Countries;

Having regard to the Universal Declaration of the Collective Rights of Peoples, Barcelona, May 1990, which declared that all peoples have the right to express and develop their culture, language and rules of organization and, to this end, to adopt political, educational, communications and governmental structures of their own, within different political frameworks;

Having regard to the Final Declaration of the General Assembly of the International Federation of Modern Language Teachers in Pécs (Hungary) on 16 August 1991, which recommended that linguistic rights be considered among the fundamental rights of the individual;

Having regard to the report of the Human Rights Commission of the United Nations Economic and Social Council, of 20 April 1994, concerning the draft Declaration on the Rights of Indigenous Peoples, which assesses individual rights in the light of collective rights;

Having Regard to the draft Declaration of the Inter-American Human Rights Commission on the Rights of Indigenous Peoples, approved at session 1278 on 18 September 1995;

Considering that the majority of the world's endangered languages belong to non-sovereign peoples and that the main factors which prevent the

development of these languages and accelerate the process of language substitution include the lack of self-government and the policy of states which impose their political and administrative structures and their language;

Considering that invasion, colonization, occupation and other instances of political, economic or social subordination often involve the direct imposition of a foreign language or, at the very least, distort perceptions of the value of languages and give rise to hierarchical linguistic attitudes which undermine the language loyalty of speakers; and considering that the languages of some peoples which have attained sovereignty are immersed in a process of language substitution as a result of a policy which favours the language of a former colonial or imperial power;

Considering that universalism must be based on a conception of linguistic and cultural diversity which prevails over trends towards homogenization and exclusionary isolation;

Considering that, in order to ensure peaceful coexistence between language communities, a series of overall principles must be found so as to guarantee the promotion and respect of all languages and their social use in public and in private;

Considering that various factors of an extralinguistic nature (historical, political, territorial, demographic, economic, sociocultural and sociolinguistic factors and those related to collective attitudes) give rise to problems which lead to the extinction, marginalization and degeneration of numerous languages, and that consequently linguistic rights must be examined in an overall perspective, so as to apply appropriate solutions in each case;

In the belief that a Universal Declaration of Linguistic Rights is required in order to correct linguistic imbalances with a view to ensuring the respect and full development of all languages and establishing the principles for a just and equitable linguistic peace throughout the world as a key factor in the maintenance of harmonious social relations;

HEREBY DECLARE THAT PREAMBLE

The situation of each language, in view of the foregoing considerations, is the result of the convergence and interaction of a wide range of factors of a political and legal, ideological and historical, demographic and territorial, economic and social, cultural, linguistic and sociolinguistic, interlinguistic and subjective nature.

More specifically, at the present time, these factors are defined by:

- (1) The age-old unifying tendency of the majority of states to reduce diversity and foster attitudes opposed to cultural plurality and linguistic pluralism.

- (2) The trend towards a worldwide economy and consequently towards a worldwide market of information, communications and culture, which disrupts the spheres of interrelation and the forms of interaction that guarantee the internal cohesion of language communities.
- (3) The economicist growth model put forward by transnational economic groups which seeks to identify deregulation with progress and competitive individualism with freedom and generates serious and growing economic, social, cultural and linguistic inequality.

Language communities are currently under pressure from dangers arising from a lack of self-government, a limited population or one that is partially or wholly dispersed, a fragile economy, an uncoded language, or a cultural model opposed to the dominant one, which make it impossible for many languages to survive and develop unless the following basic goals are taken into account:

In a political perspective, the goal of conceiving a way of organizing linguistic diversity so as to permit the effective participation of language communities in this new growth model.

In a cultural perspective, the goal of rendering the worldwide communications space compatible with the equitable participation of all peoples, language communities and individuals in the development process.

In an economic perspective, the goal of fostering sustainable development based on the participation of all and on respect for the ecological balance of societies and for equitable relationships between all languages and cultures.

For all these reasons, this Declaration takes language communities and not states as its point of departure and is to be viewed in the context of the reinforcement of international institutions capable of guaranteeing sustainable and equitable development for the whole of humanity. For these reasons also it aims to encourage the creation of a political framework for linguistic diversity based upon respect, harmonious coexistence and mutual benefit.

PRELIMINARY TITLE

Concepts

Article 1.

(1) This Declaration considers as a language community any human society established historically in a particular territorial space, whether this space be recognized or not, which identifies itself as a people and has developed a common language as a natural means of communication and cultural

cohesion between its members. The term language specific to a territory refers to the language of the community historically established in such a space.

(2) This Declaration takes as its point of departure the principle that linguistic rights are individual and collective at one and the same time. In defining the full range of linguistic rights, it adopts as its referent the case of a historical language community within its own territorial space, this space being understood, not only as the geographical area where the community lives, but also as the social and functional space vital to the full development of the language. Only on this basis is it possible to define the rights of the language groups mentioned in point 5 of the present article, and those of individuals living outside the territory of their community, in terms of a gradation or continuum.

(3) For the purpose of this Declaration, groups are also deemed to be in their own territory and to belong to a language community in the following circumstances:

- i. when they are separated from the main body of their community by political or administrative boundaries;
- ii. when they have been historically established in a small area surrounded by members of other language communities; or:
- iii. when they are established in an area which they share with the members of other language communities with similar historical antecedents.

(4) This Declaration also considers nomad peoples within their historical areas of migration and peoples historically established in geographically dispersed locations as language communities in their own territory.

(5) This Declaration considers as a language group any group of persons sharing the same language which is established in the territorial space of another language community but which does not possess historical antecedents equivalent to those of that community. Examples of such groups are immigrants, refugees, deported persons and members of diasporas.

Article 2.

(1) This Declaration considers that, whenever various language communities and groups share the same territory, the rights formulated in this Declaration must be exercised on a basis of mutual respect and in such a way that democracy may be guaranteed to the greatest possible extent.

(2) In order to establish the appropriate articulation between the respective rights of such language communities and groups and the persons belonging to them, the quest for a satisfactory sociolinguistic balance must take

into account various factors, in addition to their respective historical antecedents in the territory and their democratically expressed will. Among such factors, which may call for compensatory treatment aimed at restoring a balance, are the following: the coercive nature of the migrations which have led to the coexistence of the different communities and groups, and their degree of political, socioeconomic and cultural vulnerability.

Article 3.

(1) This Declaration considers the following to be inalienable personal rights which may be exercised in any situation:

- the right to be recognized 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;
- the right to maintain and develop one's own culture;

and all the other rights related to language which are recognized in the International Covenant on Civil and Political Rights of 16 December 1966 and the International Covenant on Economic, Social and Cultural Rights of the same date.

(2) This Declaration considers that the collective rights of language groups, may include the following, in addition to the rights attributed to the members of language groups in the foregoing paragraph, and in accordance with the conditions laid down in article 2.2:

- the right for their own language and culture to be taught;
- the right of access to cultural services;
- the right to an equitable presence of their language and culture in the communications media;
- the right to receive attention in their own language from government bodies and in socioeconomic relations.

(3) The aforementioned rights of persons and language groups must in no way hinder the interrelation of such persons or groups with the host language community or their integration into that community. Nor must they restrict the rights of the host community or its members to the full public use of the community's own language throughout its territorial space.

Article 4.

(1) This Declaration considers that persons who move to and settle in the territory of another language community have the right and the duty to

maintain an attitude of integration towards this community. This term is understood to mean an additional socialization of such persons in such a way that they may preserve their original cultural characteristics while sharing with the society in which they have settled sufficient references, values and forms of behaviour to enable them to function socially without greater difficulties than those experienced by members of the host community.

(2) This Declaration considers, on the other hand, that assimilation, a term which is understood to mean acculturation in the host society, in such a way that the original cultural characteristics are replaced by the references, values and forms of behaviour of the host society, must on no account be forced or induced and can only be the result of an entirely free decision.

Article 5.

This Declaration is based on the principle that the rights of all language communities are equal and independent of their legal status as official, regional or minority languages. Terms such as regional or minority languages are not used in this Declaration because, though in certain cases the recognition of regional or minority languages can facilitate the exercise of certain rights, these and other modifiers are frequently used to restrict the rights of language communities.

Article 6.

This Declaration considers that a language cannot be considered specific to a territory merely on the grounds that it is the official language of the state or has been traditionally used within the territory for administrative purposes or for certain cultural activities.

TITLE ONE

General Principles

Article 7.

(1) 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.

(2) All languages are collectively constituted and are made available within a community for individual use as tools of cohesion, identification, communication and creative expression.

Article 8.

(1) All language communities have the right to organize and manage their own resources so as to ensure the use of their language in all functions within society.

(2) All language communities are entitled to have at their disposal whatever means are necessary to ensure the transmission and continuity of their language.

Article 9.

All language communities have the right to codify, standardize, preserve, develop and promote their linguistic system, without induced or forced interference.

Article 10.

(1) All language communities have equal rights.

(2) This Declaration considers discrimination against language communities to be inadmissible, whether it be based on their degree of political sovereignty, their situation defined in social, economic or other terms, the extent to which their languages have been codified, updated or modernized, or on any other criterion.

(3) All necessary steps must be taken in order to implement this principle of equality and to render it real and effective.

Article 11.

All language communities are entitled to have at their disposal whatever means of translation into and from other languages are needed to guarantee the exercise of the rights contained in this Declaration.

Article 12.

(1) Everyone has the right to carry out all activities in the public sphere in his/her language, provided it is the language specific to the territory where s/he resides.

(2) Everyone has the right to use his/her language in the personal and family sphere.

Article 13.

(1) Everyone has the right to know the language specific to the territory in which s/he lives.

(2) Everyone has the right to be polyglot and to know and use the language most conducive to his/her personal development or social mobility, without prejudice to the guarantees established in this Declaration for the public use of the language specific to the territory.

Article 14.

The provisions of this Declaration cannot be interpreted or used to the detriment of any norm or practice deriving from the internal or international status of a language which is more favourable to its use within the territory to which it is specific.

SECOND TITLE

Overall linguistic régime

Section I

Public administration and official bodies

Article 15.

(1) All language communities are entitled to the official use of their language within their territory.

(2) All language communities have the right for legal and administrative acts, public and private documents and records in public registers which are drawn up in the language of the territory to be valid and effective and no one can allege ignorance of this language.

Article 16.

All language communities have the right to communicate in their own language with the central, territorial, local and supraterritorial services of the public authorities and of those administrative divisions which include the territory to which the language is specific.

Article 17.

(1) All language communities are entitled to have at their disposal and to obtain in their own language all official documents pertaining to relations which affect the territory to which the language is specific, whether such documents be in printed, machine-readable or any other form.

(2) Forms and standard administrative documents, whether in printed, machine-readable or any other form, must be made available and placed at the disposal of the public in all territorial languages by the public authorities through the services which cover the territories to which each language is specific.

Article 18.

(1) All language communities have the right for laws and other legal provisions which concern them to be published in the language specific to the territory.

(2) Public authorities who have more than one territorially historic language within their jurisdiction must publish all laws and other legal provisions of a general nature in each of these languages, whether or not their speakers understand other languages.

Article 19.

(1) Representative Assemblies must have as their official language(s) the language(s) historically spoken in the territory they represent.

(2) This right also applies to the languages of the communities established in geographically dispersed locations referred to in Article 1, Paragraph 4.

Article 20.

(1) Everyone has the right to use the language historically spoken in a territory, both orally and in writing, in the Courts of Justice located within that territory. The Courts of Justice must use the language specific to the territory in their internal actions and, if on account of the legal system in force within the state, the proceedings continue elsewhere, the use of the original language must be maintained.

(2) Notwithstanding the above, everyone has the right to be tried in a language which s/he understands and can speak and to obtain the services of an interpreter free of charge.

Article 21.

All language communities have the right for records in public registers to be drawn up in the language specific to the territory.

Article 22.

All language communities have the right for documents authenticated by notaries public or certified by other authorized public servants to be

drawn up in the language specific to the territory where the notary or other authorized public servant performs his/her functions.

Section II

Education

Article 23.

(1) Education must help to foster the capacity for linguistic and cultural self-expression of the language community of the territory where it is provided.

(2) Education must help to maintain and develop the language spoken by the language community of the territory where it is provided.

(3) Education must always be at the service of linguistic and cultural diversity and of harmonious relations between different language communities throughout the world.

(4) Within the context of the foregoing principles, everyone has the right to learn any language.

Article 24.

All language communities have the right to decide to what extent their language is to be present, as a vehicular language and as an object of study, at all levels of education within their territory: preschool, primary, secondary, technical and vocational, university, and adult education.

Article 25.

All language communities are entitled to have at their disposal all the human and material resources necessary to ensure that their language is present to the extent they desire at all levels of education within their territory: properly trained teachers, appropriate teaching methods, text books, finance, buildings and equipment, traditional and innovative technology.

Article 26.

All language communities are entitled to an education which will enable their members to acquire a full command of their own language, including the different abilities relating to all the usual spheres of use, as well as the most extensive possible command of any other language they may wish to know.

Article 27.

All language communities are entitled to an education which will enable their members to acquire knowledge of any languages related to their own cultural tradition, such as literary or sacred languages which were formerly habitual languages of the community.

Article 28.

All language communities are entitled to an education which will enable their members to acquire a thorough knowledge of their cultural heritage (history, geography, literature, and other manifestations of their own culture), as well as the most extensive possible knowledge of any other culture they may wish to know.

Article 29.

(1) Everyone is entitled to receive an education in the language specific to the territory where s/he resides.

(2) This right does not exclude the right to acquire oral and written knowledge of any language which may be of use to him/her as an instrument of communication with other language communities.

Article 30.

The language and culture of all language communities must be the subject of study and research at university level.

Section III

Proper names

Article 31.

All language communities have the right to preserve and use their own system of proper names in all spheres and on all occasions.

Article 32.

(1) All language communities have the right to use place names in the language specific to the territory, both orally and in writing, in the private, public and official spheres.

(2) All language communities have the right to establish, preserve and revise autochthonous place names. Such place names cannot be arbitrarily abolished, distorted or adapted, nor can they be replaced if changes in the political situation, or changes of any other type, occur.

Article 33.

All language communities have the right to refer to themselves by the name used in their own language. Any translation into other languages must avoid ambiguous or pejorative denominations.

Article 34.

Everyone has the right to the use of his/her own name in his/her own language in all spheres, as well as the right, only when necessary, to the most accurate possible phonetic transcription of his/her name in another writing system.

Section IV

Communications media and new technologies

Article 35.

All language communities have the right to decide the extent to which their language is be present in all the communications media in their territory, whether local and traditional media, those with a wider scope, or those using more advanced technology, regardless of the method of dissemination or transmission employed.

Article 36.

All language communities are entitled to have at their disposal all the human and material resources required in order to ensure
the desired degree of presence of their language and the desired degree of cultural self-expression in the communications media
in their territory: properly trained personnel, finance, buildings and equipment, traditional and innovative technology.

Article 37.

All language communities have the right to receive, through the communications media, a thorough knowledge of their cultural heritage (his-

tory, geography, literature and other manifestations of their own culture), as well as the greatest possible amount of information about any other culture their members may wish to know.

Article 38.

The languages and cultures of all language communities must receive equitable and non-discriminatory treatment in the communications media throughout the world.

Article 39.

The communities described in Article 1, paragraphs 3 and 4, of this Declaration, and the groups mentioned in paragraph 5 of the same article, are entitled to an equitable representation of their language in the communications media of the territory where they are established or where they migrate. This right is to be exercised in harmony with the rights of the other language groups or communities in the territory.

Article 40.

In the field of information technology, all language communities are entitled to have at their disposal equipment adapted to their linguistic system and tools and products in their language, so as to derive full advantage from the potential offered by such technologies for publication, translation and information processing and for the dissemination of culture in general.

Section V

Culture

Article 41.

(1) All language communities have the right to use, maintain and foster their language in all forms of cultural expression.

(2) All language communities must be able to exercise this right to the full without any community's space being subjected to hegemonic occupation by a foreign culture.

Article 42.

All language communities have the right to full development within their own cultural sphere.

Article 43.

All language communities are entitled to access to the works produced in their language.

Article 44.

All language communities are entitled to access to intercultural programmes through the dissemination of adequate information, and to support for activities such as teaching the language to foreigners, translation, dubbing, post-synchronization and subtitling.

Article 45.

All language communities have the right for the language specific to the territory to occupy a pre-eminent position in cultural events and services (libraries, videotheques, cinemas, theatres, museums, archives, folklore, cultural industries, and all other manifestations of cultural life).

Article 46.

All language communities have the right to preserve their linguistic and cultural heritage, including its material manifestations, such as collections of documents, works of art and architecture, historic monuments and inscriptions in their own language.

Section VI

The socioeconomic sphere

Article 47.

(1) All language communities have the right to establish the use of their language in all socioeconomic activities within their territory.

(2) All language communities are entitled to have at their disposal, in their own language, all the means necessary for the performance of their professional activities, such as documents and works of reference, instructions, forms and computer equipment, tools and products.

(3) The use of other languages in this sphere can only be required in so far as it is justified by the nature of the professional activity involved. In no case can a more recently arrived language relegate or supersede the use of the language specific to the territory.

Article 48.

(1) All language communities have the right to use their language with full legal validity in economic transactions of all types, such as the sale and purchase of goods and services, banking, insurance, job contracts and others.

(2) No clause in such private acts can exclude or restrict the use of a language in the territory to which it is specific.

(3) All language communities are entitled to have the documents required for the performance of the above-mentioned operations at their disposal in their own language. Such documents include forms, cheques, contracts, invoices, receipts, delivery notes, order forms, and others.

Article 49.

All language communities have the right to use their language in all types of socioeconomic organizations such as labour and union organizations, and employers', professional, trade and craft associations.

Article 50.

(1) All language communities have the right for their language to occupy a pre-eminent place in advertising, signs, external signposting, and all other elements that make up the image of the country.

(2) All language communities have the right to receive full oral and written information in their own language on the products and services proposed by commercial establishments in the territory, such as instructions for use, labels, lists of ingredients, advertising, guarantees and others.

(3) All public signs and announcements affecting the safety of the public must be written at least in the language specific to the territory, in conditions which are not inferior to those of any other language.

Article 51.

(1) Everyone has the right to use the language specific to the territory in his/her relations with firms, commercial establishments and private bodies and to be served or receive a reply in the same language.

(2) Everyone has the right, as a client, customer, consumer or user, to receive oral and written information in the language specific to the territory from establishments open to the public.

Article 52.

Everyone has the right to carry out his/her professional activities in the language specific to the territory unless the functions inherent to the job require the use of other languages, as in the case of language teachers, translators or tourist guides.

ADDITIONAL DISPOSITIONS

First

The public authorities must take all appropriate steps to implement the rights proclaimed in this Declaration within their respective areas of jurisdiction. More specifically, international funds must be set up to foster the exercise of linguistic rights in communities which are demonstrably lacking in resources. Thus the public authorities must provide the necessary support so that the languages of the various communities may be codified, transcribed, taught, and used in the administration.

Second

The public authorities must ensure that the authorities, organizations and persons concerned are informed of the rights and correlative duties arising from this Declaration.

Third

The public authorities must establish, in the light of existing legislation, the sanctions arising from the violation of the linguistic rights laid down in this Declaration.

FINAL DISPOSITIONS

First

This Declaration proposes the creation of a Council of Languages within the United Nations Organization. The General Assembly of the United Nations Organization is to be responsible for setting up this Council, defining its functions and appointing its members, and for creating a body in international law to protect language communities in the exercise of the rights recognized in this Declaration.

Second

This Declaration recommends and promotes the creation of a World Commission on Linguistic Rights, a non-official, consultative body made up of representatives of non-governmental organizations and organizations working in the field of linguistic law.

Universal Declaration on Cultural Diversity

Adopted by the 31st Session of UNESCO's General Conference, Paris,
2 November 2001.

Article 5.

Cultural rights are an integral part of human rights, which are universal, indivisible and interdependent. The flourishing of creative diversity requires the full implementation of cultural rights as defined in Article 27 of the Universal Declaration of Human Rights and in Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights. All persons should therefore be able to express themselves and to create and disseminate their work in the language of their choice, and particularly in their mother tongue; all persons should be entitled to quality education and training that fully respect their cultural identity; and all persons should be able to participate in the cultural life of their choice and conduct their own cultural practices, subject to respect for human rights and fundamental freedoms.

Article 6.

While ensuring the free flow of ideas by word and image care should be exercised that all cultures can express themselves and make themselves known. Freedom of expression, media pluralism, multilingualism, equal access to art and to scientific and technological knowledge, including in digital form, and the possibility for all cultures to have access to the means of expression and dissemination are the guarantees of cultural diversity.

MAIN LINES OF AN ACTION PLAN FOR THE IMPLEMENTATION OF THE UNESCO UNIVERSAL DECLARATION ON CULTURAL DIVERSITY

The Member States commit themselves to taking appropriate steps to disseminate widely the “UNESCO Universal Declaration on Cultural Diversity”, in particular by cooperating with a view to achieving the following objectives:

[...]

(5) Safeguarding the linguistic heritage of humanity and giving support to expression, creation and dissemination in the greatest possible number of languages.

(6) Encouraging linguistic diversity – while respecting the mother tongue – at all levels of education, wherever possible, and fostering the learning of several languages from the youngest age.

[...]

(10) Promoting linguistic diversity in cyberspace and encouraging universal access through the global network to all information in the public domain.

Note: The full text of the Universal Declaration on Cultural Diversity is available at:
http://www.unesco.org/culture/pluralism/diversity/html_eng/index_en.shtml

Declaration on Race and Racial Prejudice

Adopted and proclaimed by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its 20th session on 27 November 1978.

Article 9.

(3) Population groups of foreign origin, particularly migrant workers and their families who contribute to the development of the host country, should benefit from appropriate measures designed to afford them security and respect for their dignity and cultural values and to facilitate their adaptation to the host environment and their professional advancement with a view to their subsequent reintegration in their country of origin and their contribution to its development; steps should be taken to make it possible for their children to be taught their mother tongue.

Note: The full text of the Declaration on Race and Racial Prejudice is available at: http://www.unesco.org/education/information/nfsunesco/pdf/RACE_E.PDF

Declaration on the Human Rights of Individuals who are not Nationals of the Country in Which They Live

The Declaration on the Human Rights of Individuals who are not Nationals of the Country in Which They Live was adopted by the United Nations General Assembly Resolution A/RES/40/144 on 13 December 1985.

Article 5.

(1) Aliens shall enjoy, in accordance with domestic law and subject to the relevant international obligations of the State in which they are present, in particular the following rights:

- a. The right to retain their own language, culture and tradition;

Note: The full text of the Declaration can be found at the United Nations Internet Site.

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities was adopted by the UN Commission on Human Rights in its resolution 1992/16, 21 February 1992 and by the General Assembly in its resolution 47/135 on 18 December 1992.

Article 1.

(1) States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity. [...]

Article 2.

(1) Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination. [...]

(2) Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group, with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 4.

(2) States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to de-

velop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

(3) States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

(4) States should, where appropriate, take measures in the field of education, in order to encourage the knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

Source: UN Doc. E/CN.4/1992/48 & Corr. 1 (1992) at 16-19

Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights

The Vienna Declaration and Programme of Action was adopted at the World Conference on Human Rights 25 June 1993.

- (19) Considering the importance of the promotion and protection of the rights of persons belonging to minorities and the contribution of such promotion and protection to the political and social stability of the States in which such persons live,

The World Conference on Human Rights reaffirms the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The persons belonging to minorities have the right to enjoy their own culture, to profess and practice their own religion and to use their own language in private and in public, freely and without interference or any form of discrimination.

- (25) The World Conference on Human Rights calls on the Commission on Human Rights to examine ways and means to promote and protect effectively the rights of persons belonging to minorities as set out in the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities. In this context, the World Conference on Human Rights calls upon the Centre for Human Rights to provide, at the request of Governments concerned and as part of its programme of advisory services and technical assistance, qualified expertise on minority issues and human rights, as well as on the prevention and resolution of disputes, to assist in existing or potential situations involving minorities.

- (26) The World Conference on Human Rights urges states and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

Source: UN Doc. A/CONF.157/24.

Draft Declaration on the Rights of Indigenous Peoples

The Draft Declaration on the Rights of Indigenous Peoples was completed by the Working Group on Indigenous Populations of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1993. Since some articles concerning the rights to self-determination and land rights are controversial, the draft Declaration has not yet been adopted.

Article 14.

Indigenous peoples have the right to revitalise, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons. States shall take effective measures, whenever any right of indigenous peoples may be threatened, to ensure this right is protected and also to ensure that they can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 15.

Indigenous children have the right to all levels and forms of education of the state. All indigenous peoples also have this right and the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

Indigenous children living outside their communities have the right to be provided access to education in their own culture and language.

States shall take effective measures to provide appropriate resources for these purposes.

Article 17.

Indigenous peoples have the right to establish their own media in their own languages. They also have the right to equal access to all forms of non-indigenous media. States shall take effective measures to ensure that state-owned media duly reflect indigenous cultural diversity.

Source: UN Doc. E/CN.4/Sub.2/1994/56

Declaration on National Minorities by the Summit Meeting of the Council of Europe

The Declaration on National Minorities was made by the Heads of State and Government of the member States of the Council of Europe, meeting at the Vienna summit conference on 9 October 1993.

Appendix II

...States should create the conditions necessary for belonging to national minorities to develop their culture, while preserving their religion, traditions and customs. These persons must be able to use their language both in private and in public and should be able to use it, under certain conditions, in their relations with the public authorities.

Note: The full text of the Declaration on National Minorities is available at:
<http://www.troc.es/ciemen/mercator/CE3-GB.HTM>

Beijing Declaration and Platform for Action

The Beijing Declaration and Platform for Action was adopted unanimously at the United Nations Fourth World Conference on Women (4–15 September 1995) held in Beijing, China, by representatives from 189 countries. While the Declaration does not directly address language rights, the Platform for Action, in identifying the “critical areas of concern” that represent the main obstacles to the advancement of women, includes numerous proposals to promote language rights for women. The most relevant recommendations for action in this area appear below.

Platform for Action

[Actions to be taken:]

- (80) By Governments:
 - a. Advance the goal of equal access to education by taking measures to eliminate discrimination in education at all levels on the basis of gender, race, language, religion, national origin, age or disability, or any other form of discrimination and, as appropriate, consider establishing procedures to address grievances;
- (125) By Governments, including local governments, and community organizations, non-governmental organizations, educational institutions, the public and private sectors, particularly enterprises, and the mass media, as appropriate:
 - b. Establish linguistically and culturally accessible services for migrant women and girls, including women migrant workers, who are victims of gender-based violence;
- (147) By Governments, intergovernmental and non-governmental organizations and other institutions involved in providing protection, assistance and training to refugee women, other displaced women in need

of international protection and internally displaced women, including the Office of the United Nations High Commissioner for Refugees and the World Food Programme, as appropriate:

- g. Facilitate the availability of educational material in the appropriate language – in emergency situations also – in order to minimize disruption of schooling among refugee and displaced children;
 - l. Provide, as appropriate, women who have been determined refugees with access to vocational/professional training programmes, including language training, small-scale enterprise development training and planning and counselling on all forms of violence against women, which should include rehabilitation programmes for victims of torture and trauma; Governments and other donors should contribute adequately to assistance programmes for refugee women, other displaced women in need of international protection and internally displaced women, particularly taking into account the effects on the host countries of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing;
 - p. Facilitate the productive employment of documented migrant women (including women who have been determined refugees according to the 1951 Convention relating to the Status of Refugees) through greater recognition of foreign education and credentials and by adopting an integrated approach to labour market training that incorporates language training.
- (233) By Governments and non-governmental organizations, the United Nations and other international organizations, as appropriate:
- a. Translate, whenever possible, into local and indigenous languages and into alternative formats appropriate for persons with disabilities and persons at lower levels of literacy, publicize and disseminate laws and information relating to the equal status and human rights of all women, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination 33, the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration on the Right to Development 34 and the Declaration on the Elimination of Violence against Women, as well as the outcomes of relevant United Nations conferences and summits and national reports to the Committee on the Elimination of Discrimination against Women;

- g. Promote education on the human and legal rights of women in school curricula at all levels of education and undertake public campaigns, including in the most widely used languages of the country, on the equality of women and men in public and private life, including their rights within the family and relevant human rights instruments under national and international law;
- (242) By non-governmental organizations and media professional associations:
- d. Encourage the media industry and education and media training institutions to develop, in appropriate languages, traditional, indigenous and other ethnic group forms of media, such as story-telling, drama, poetry and song reflecting their cultures, and utilize these forms of communication to disseminate information on development and social issues.

Note: The full text of the Beijing Declaration and Platform for Action is available at: http://www.unesco.org/education/information/nfsunesco/pdf/BEIJIN_E.PDF

Declaration and Integrated Framework of Action on Education for Peace, Human Rights and Democracy

Declaration of the 44th Session of the International Conference on Education (Geneva, October 1994), endorsed by the General Conference of UNESCO at its 28th session (Paris, November 1995).

Article 19.

It is essential for the development of education for peace, human rights and democracy that reading, and verbal and written expression programmes, should be considerably strengthened. A comprehensive grasp of reading, writing and the spoken word enables citizens to gain access to information, to understand clearly the situation in which they are living, to express their needs, and to take part in activities in the social environment. In the same way, learning foreign languages offers a means of gaining a deeper understanding of other cultures, which can serve as a basis for building better understanding between communities and between nations. UNESCO's LINGUAPAX project could serve as an example in that respect.

Article 29.

Furthermore, in order to create understanding between different groups in society, there must be respect for the educational rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as indigenous people, and this must also have implications in the curricula and methods as well as in the way education is organized.

Note: The full text of the Declaration and Integrated Framework of Action on Education for Peace, Human Rights and Democracy is available at:
http://www.unesco.org/human_rights/hrff.htm

Hamburg Declaration on Adult Learning

The Hamburg Declaration on Adult Learning was adopted by the Fifth International Conference on Adult Education held in Hamburg, 14–18 July 1997.

- (18) **Indigenous education and culture.** Indigenous peoples and nomadic peoples have the right of access to all levels and forms of education provided by the state. However, they are not to be denied the right to enjoy their own culture, or to use their own languages. Education for indigenous peoples and nomadic peoples should be linguistically and culturally appropriate to their needs and should facilitate access to further education and training.

Note: The full text of the Hamburg Declaration is available at:
<http://www.unesco.org/education/uie/confintea/pdf/con5eng.pdf>

World Declaration on Higher Education for the Twenty-First Century

The World Declaration on Higher Education for the Twenty-First Century: Vision and Action, was adopted by the World Conference on Higher Education on 9 October 1998.

Article 3. – Equity of access

- a. In keeping with Article 26.1 of the Universal Declaration of Human Rights, admission to higher education should be based on the merit, capacity, efforts, perseverance and devotion, showed by those seeking access to it, and can take place in a lifelong scheme, at any time, with due recognition of previously acquired skills. As a consequence, no discrimination can be accepted in granting access to higher education on grounds of race, gender, language or religion, or economic, cultural or social distinctions, or physical disabilities.

Article 15.

- a. The principle of solidarity and true partnership amongst higher education institutions worldwide is crucial for education and training in all fields that encourage an understanding of global issues, the role of democratic governance and skilled human resources in their resolution, and the need for living together with different cultures and values. The practice of multilingualism, faculty and student exchange programmes and institutional linkage to promote intellectual and scientific co-operation should be an integral part of all higher education systems.

Note: The full text of the World Declaration on Higher Education for the Twenty-First Century is available at:
http://www.unesco.org/education/educprog/wche/declaration_eng.htm

**UNESCO Declaration on Fundamental
Principles concerning the Contribution
to the Mass Media to Strengthening Peace
and International Understanding,
to the Promotion of Human Rights
and to Countering Racism, Apartheid
and Incitement to War**

Article 3.

(1) The mass media have an important contribution to make the strengthening of peace and international understanding and in countering racism, apartheid and incitement to war.

(2) In countering aggressive war, racism, apartheid and other violations of human rights which are inter alia spawned by prejudice and ignorance, the mass media, by disseminating information on the aims, aspirations, cultures and needs of all peoples, contribute to eliminate ignorance and misunderstanding between peoples, to make nationals of a country sensitive to the needs and desires of others, to ensure the respect of the rights and dignity of all nations, all peoples and all individuals without distinction of race, sex, language, poverty, malnutrition and diseases, thereby promoting the formulation by States of the policies best able to promote the reduction of international tension and the peaceful and equitable settlement of international disputes.

American Declaration of the Rights and Duties of Man

The American Declaration of the Rights and Duties of Man was adopted by the Ninth International Conference of American States of the Organization of American States in Bogota, Columbia, on 2 May 1948.

Article 2.

All persons are equal before the law and have the rights and duties established in this Declaration, without distinction as to race, sex, language, creed or any other factor.

Source: Basic Documents Pertaining to Human Rights in the Inter-American System, OEA/Ser.L.V/II.82 doc.6 rev.1 at 17 (1992). The full text version of the American Declaration can be found in English at the Organization of American States Internet site.

Draft American Declaration on the Rights of Indigenous Peoples

The Draft American Declaration on the Rights of Indigenous Peoples was approved by the Inter-American Commission on Human Rights on February 26 1997 at its 1333rd session, 95th regular session.

Article II

(2) Indigenous peoples have the collective rights that are indispensable to the enjoyment of the individual human rights of their members. Accordingly the states recognize *inter alia* the right of the indigenous peoples to collective action, to their cultures, to profess and practice their spiritual beliefs, and to use their languages.

Article VII

(3) The states shall recognize and respect indigenous ways of life, customs, traditions, forms of social, economic and political organization, institutions, practices, beliefs and values, use of dress, and languages.

Article VIII

(1) Indigenous peoples have the right to indigenous languages, philosophy and outlook as a component of national and universal culture, and as such, shall respect them and facilitate their dissemination.

(2) The states shall take measures and ensure that broadcast radio and television programs are broadcast in the indigenous languages in the regions where there is a strong indigenous presence, and to support the creation of indigenous radio stations and other media.

(3) The states shall take effective measures to enable indigenous peoples to understand administrative, legal and political rules and procedures, and

to be understood in relation to these matters. In areas where indigenous languages are predominant, states shall endeavor to establish the pertinent languages as official languages and to give them the same status that is given to non-indigenous official languages.

Article IX

(2) When indigenous peoples so decide, educational systems shall be conducted in the indigenous languages and incorporate indigenous content, and they shall also be provided with the necessary training and means for complete mastery of the official language or languages.

Article XVI

(3) In the jurisdiction of any state, procedures concerning indigenous peoples or their interests shall be conducted in such a way as to ensure the right of indigenous peoples to full representation with dignity and equality before the law. This shall include observance of indigenous law and custom and, where necessary, use of their language.

Source: The full text version of the Draft American Declaration can be found at the Internet site of the Organization of American States.

KONWENCJE (CONVENTIONS)

UNESCO Convention Against Discrimination in Education

The UNESCO Convention Against Discrimination in Education, adopted on 14 December 1960 and entered into force on 22 May 1962, is the first international convention which contains *expressis verbis* provisions relating to the rights of persons belonging to minorities, including linguistic minorities.

Article 1.

(1) For the purposes of this Convention, the term “discrimination” includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality or treatment in education and in particular:

- a. Of depriving any person or group of persons of access to education of any type or at any level;
- b. Of limiting any person or group of persons to education of an inferior standard;
- c. Subject to the provisions of article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or
- d. Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man.

Article 2.

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of Article 1 of this Convention: [...]

- b. The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

Article 5.

- (1) The States Parties to this Convention agree that: [...]
- c. It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use of the teaching of their own language, provided however:
 - i. That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;
 - ii. That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and
 - iii. That attendance at such schools is optional. [...]

Note: The full text of the Convention Against Discrimination in Education can be found at http://www.unesco.org/education/information/nfsunesco/pdf/DISCRI_E.PDF

European Convention on the Legal Status of Migrant Workers

The European Convention on the Legal Status of Migrant Workers was opened for signature on 24 November 1977 and entered into force on 1 May 1983. The Convention is concerned with the principal aspects of the legal situation of migrant workers and contains a number of provisions concerning language rights.

Article 5.

Every migrant worker accepted for employment shall be provided prior to departure for the receiving State with a contract of employment or a definite offer of employment, either of which may be drawn up in one or more of the languages in use in the State of origin and in one or more of the languages in use in the receiving State. The use of at least one language of the State of origin and one language of the receiving State shall be compulsory in the case of recruitment by an official authority or an officially recognised employment bureau.

Article 6.

(2) In the case of recruitment through an official authority of the receiving State, such information shall be provided, before his departure, in a language which the prospective migrant worker can understand, to enable him to take a decision in full knowledge of the facts. The translation, where necessary, of such information into a language that the prospective migrant worker can understand shall be provided as a general rule by the State of origin.

Article 14.

(2) To promote access to general and vocational schools and to vocational training centres, the receiving State shall facilitate the teaching of its

language or, if there are several, one of its languages to migrant workers and members of their families.

Article 15.

The Contracting Parties concerned shall take actions by common accord to arrange, so far as practicable, for the migrant worker's children, special courses for the teaching of the migrant worker's mother tongue, to facilitate, inter alia, their return to their State of origin.

Article 26.

(2) Each Contracting Party shall provide migrant workers with legal assistance on the same conditions as for their own nationals and, in the case of civil or criminal proceedings, the possibility of obtaining the assistance of an interpreter where they cannot understand or speak the language used in court.

Note: ETS No. 093. The full text of this document is available at:
<http://conventions.coe.int/Treaty/en/Treaties/Html/093.htm>

Framework Convention for the Protection of National Minorities

The Framework Convention for the Protection of National Minorities was adopted by Committee of Ministers on 10 November 1994. It was opened for signature on 1 February 1995 and entered into force 1 February 1998. As of 23 September 2002, 39 member states had ratified or acceded to the Convention and one non-member state (Yugoslavia).

The Framework Convention is the first legally binding multilateral instrument addressing the issue of minority rights, including the rights of linguistic minorities.

Article 5.

(1) The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

Article 6.

(1) The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

(2) The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

Article 9.

(1) The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.

Article 10.

(1) The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

(2) In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

(3) The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

Article 11.

(1) The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

(2) The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

(3) In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display

traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.

Article 12.

(1) The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.

Article 14.

(1) The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.

(2) In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

(3) Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

Article 17.

(1) The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.

Source: ETS N° 157. The full text of the Framework Convention for the Protection of National Minorities and information about signatures, ratification and accession can be found at: <http://conventions.coe.int/Treaty/EN/CadreListeTraites.htm>

European Convention for Protection of Human Rights and Fundamental Freedoms

Article 5.

(2) Everyone who is arrested shall be informed promptly, in language which he understands, of the reasons for his arrest and of any charge against him.

Article 6.

(3) Everyone charged with a criminal offence has the following minimum rights:

- a. to be informed promptly, in language which he understands and in detail, of the nature and cause of the accusation against him;
- e. to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

Article 14.

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

American Convention on Human Rights

The American Convention on Human Rights was adopted by member states of the Organization of American States in San José, Costa Rica, on 22 November 1969. It entered into force on 18 July 1978.

Article 1.

(1) The states parties to this Convention undertake to respect the rights and freedoms recognised herein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms, without any discrimination for reasons of race, colour, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition.

Article 8.

(2) Every person accused of a serious crime has the right to be presumed innocent so long as his guilt has not been proven according to law. During the proceedings, every person is entitled, with full equality, to the following minimum guarantees:

- a. the right of the accused to be assisted without charge by a translator or interpreter, if he does not understand or does not speak the language of the tribunal or court;

Source: 1144 U.N.T.S. 123, Basic Documents Pertaining to Human Rights in the Inter-American System, OEA/Ser.L.V/II.82 doc.6 rev.1 at 25 (1992). The full text version of the American Convention on Human Rights can be found in English at the Organization of American States Internet site.

International Labour Organization Convention No. 107

The International Labour Organization Convention (No.107) Concerning the Protection and Integration of Indigenous and other Tribal and Semi-Tribal Populations in Independent Countries was signed on 16 June 1957 and entered into force on 2 June 1959. The Convention was closed to further ratifications in September 1991, when ILO Convention No. 169 entered into force. It will cease to be in force with respect to those states which ratify the latter.

Article 23.

(1) Children belonging to the populations concerned shall be taught to read and write in their mother tongue or, where this is not practicable, in the language most commonly used by the group to which they belong.

(2) Provision shall be made for a progressive transition from the mother tongue or the vernacular language to the national language or to one of the official languages of the country.

(3) Appropriate measures shall, as far as possible, be taken to preserve the mother tongue or the vernacular language.

Article 26.

Governments shall adopt measures, appropriate to the social and cultural characteristics of the populations concerned, to make known to them their rights and duties, especially in regard to labour and social welfare.

(2) If necessary this shall be done by means of written translations and through the use of media of mass communication in the languages of these populations.

Note: For the complete text of this Convention as well as information about ratification, see:
<http://ilolex.ilo.ch:1567/cgi-lex/convde.pl?query=C107&query0=C107&submit=Display>

International Labour Organization Convention No. 169

The International Labour Convention (No. 169) Concerning Indigenous and Tribal Peoples in Independent Countries was adopted on 27 June 1989 and entered into force on 5 September 1991. As of 22 June 1992, Bolivia, Colombia, Mexico and Norway have ratified the Convention.

Article 28.

(1) Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.

(2) Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.

(3) Measures shall be taken to preserve and promote the development and practice of the indigenous language of the peoples concerned.

Article 30.

(1) Governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.

(2) If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.

Note: For the complete text of the Convention in English or Spanish as well as information about ratification, see:
<http://www.ilo.org/public/english/region/ampro/mdtsanjose/indigenous/derecho.htm>

The Convention on the Rights of the Child

The Convention on the Rights of the Child was adopted by the United Nations General Assembly in Resolution 44/25 on 20 November 1989 and incorporates Article 27 of the Covenant for Civil and Political Rights.

Article 17.

States parties recognise the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, states parties shall...

- d. encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

Article 29.

(1) States parties agree that the education of the child shall be directed to... (c) the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilisations different from his or her own;

Article 30.

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origins exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

Article 40.

(1) States parties recognise the right of every child alleged as, accused of, or recognised as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

(2) To this end, and having regard to the relevant provisions of international instruments, states parties shall, in particular, ensure that...

- a. every child alleged as or accused of having infringed the penal law has at least the following guarantees...
 - vi. to have the free assistance of an interpreter if the child cannot understand or speak the language used.

UGODY (COVENANTS)

International Covenant on Civil and Political Rights

The International Covenant on Civil and Political Rights was adopted by the United Nations General Assembly in Resolution 2200A (XXI) on 16 December 1966 and entered into force on 23 March 1976.

Article 2.

(1) Each state party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the present Covenant, 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.

Article 14.

(3) In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

- a. to be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him; ...
- f. to have the free assistance of an interpreter if he cannot understand or speak the language used in court;

Article 24.

(1) Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the state.

Article 26.

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 27.

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

Source: UNTS, vol. 999, p. 171 and UNTS, vol. 1057, p. 407. Further information on the International Covenant on Civil and Political Rights can be found on the Internet site of the United Nations Organization.

International Covenant on Economic, Social and Cultural Rights

Article 2.

- (2) The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

TRAKTATY (TREATIES)

Treaty of European Union

The Treaty of European Union contains a number of provisions relating to language. It was signed in Maastricht by Foreign and Finance Ministers of Member States on 7 February 1992.

Article 126.

(1) The Community shall contribute to the development of quality education by encouraging cooperation between member states and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the member states for the content of teaching and the organisation of education systems and their cultural and linguistic diversity.

(2) Community action shall be aimed at..

- developing the European dimension in education, particularly through the teaching and dissemination of the languages of the member states;

Article 128.

(1) The Community shall contribute to the flowering of the cultures of the member states, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore...

(4) The Community shall take cultural aspects into account in its action under other provisions of this Treaty.

Appendix to the Treaty on European Union: Declaration on the Use of Languages in the Field of the Common Foreign and Security Policy.

The Conference agrees that the use of the languages shall be in accordance with the rules of the European Communities.

For COREU communications, the current European Political Cooperation will serve as a guide for the time being.

All common foreign and security policy texts which are submitted to or adopted at meetings of the European Council and of the Council as well as all texts which are to be published are immediately and simultaneously translated into all the official Community languages.

Note: The full text of the Treaty of European Union can be found at the European Union site for legal texts.

KONSTYTUCJE (CONSTITUTIONS)

UNESCO Constitution

The UNESCO Constitution was adopted in London on 16 November 1945 and amended by the General Conference at its 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 15th, 17th, 19th, 20th, 21st, 24th, 25th, 26th, 27th, 28th, 29th and 31st sessions.

Article 1.

The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.

Note: The full text of the UNESCO Constitution is available at:
<http://unesdoc.unesco.org/images/0012/001255/125590e.pdf#constitution>
(also available in French, Spanish, Russian, Arabic and Chinese).

Konstytucja Rzeczypospolitej Polskiej

Tekst uchwalony w dniu 2 kwietnia 1997 r. przez Zgromadzenie Narodowe.

Artykuł 27.

W Rzeczypospolitej Polskiej językiem urzędowym jest język polski. Przepis ten nie narusza praw mniejszości narodowych wynikających z ratyfikowanych umów międzynarodowych.

Artykuł 35.

(1) Rzeczpospolita Polska zapewnia obywatelom polskim należącym do mniejszości narodowych i etnicznych wolność zachowania i rozwoju własnego języka, zachowania obyczajów i tradycji oraz rozwoju własnej kultury.

(2) Mniejszości narodowe i etniczne mają prawo do tworzenia własnych instytucji edukacyjnych, kulturalnych i instytucji służących ochronie tożsamości religijnej oraz do uczestnictwa w rozstrzyganiu spraw dotyczących ich tożsamości kulturowej.

Artykuł 233.

(2) Niedopuszczalne jest ograniczenie wolności i praw człowieka i obywatela wyłącznie z powodu rasy, płci, języka, wyznania lub jego braku, pochodzenia społecznego, urodzenia oraz majątku.

Poland

The text of the Constitution as adopted on 2 April 1997.

Article 27.

Polish shall be the official language in the Republic of Poland. This provision shall not infringe upon national minority rights resulting from ratified international agreements.

Article 35.

(1) The Republic of Poland shall ensure Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture.

(2) National and ethnic minorities shall have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

Article 233.

(2) Limitation of the freedoms and rights of persons and citizens only by reason of race, gender, language, faith or lack of it, social origin, ancestry or property shall be prohibited.

STATUTE (CHARTERS)

European Social Charter (revised)

Article 19.

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

- (11) to promote and facilitate the teaching of the national language of receiving state or, if there are several, one of these languages, to migrant workers and members of their families;
- (12) to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.

Article E

The enjoyment of the rights set in this Charter shall be secured without discrimination on any ground such race, colour, sex, language, religion, political or other opinion, national extraction or social origin, health, association with a national minority, birth or other status.

European Charter for Regional or Minority Languages

The European Charter for Regional and Minority Languages was adopted by the Committee of Ministers of the Council of Europe on 2 October 1992 and opened for signature on 5 November 1992. It represents the final product of a project which had been under consideration since 1988. The Charter entered into force on 1 March 1998. Its aims are to protect and promote the historical regional or minority languages of Europe, to maintain and develop Europe's cultural traditions and heritage, and to respect the right to use a regional or minority language in private and public life.

As of 23 September 2002, 29 states had signed the Charter and the following 17 countries had ratified it: Armenia, Austria, Croatia, Cyprus, Denmark, Finland, Germany, Hungary, Liechtenstein, Netherlands, Norway, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.

Preamble

The member States of the Council of Europe signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members, particularly for the purpose of safeguarding and realising the ideals and principles which are their common heritage;

Considering that the protection of the historical regional or minority languages of Europe, some of which are in danger of eventual extinction, contributes to the maintenance and development of Europe's cultural wealth and traditions;

Considering that the right to use a regional or minority language in private and public life is an inalienable right conforming to the principles embodied in the United Nations International Covenant on Civil and Political Rights, and according to the spirit of the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms;

Having regard to the work carried out within the CSCE and in particular to the Helsinki Final Act of 1975 and the document of the Copenhagen Meeting of 1990;

Stressing the value of interculturalism and multilingualism and considering that the protection and encouragement of regional or minority languages should not be to the detriment of the official languages and the need to learn them;

Realising that the protection and promotion of regional or minority languages in the different countries and regions of Europe represent an important contribution to the building of a Europe based on the principles of democracy and cultural diversity within the framework of national sovereignty and territorial integrity;

Taking into consideration the specific conditions and historical traditions in the different regions of the European States,

Have agreed as follows:

Part I – General provisions

Article 1 – Definitions

For the purposes of this Charter:

- a. “regional or minority languages” means languages that are:
 - i. traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State’s population; and
 - ii. different from the official language(s) of that State; it does not include either dialects of the official language(s) of the State or the languages of migrants;
- b. “territory in which the regional or minority language is used” means the geographical area in which the said language is the mode of expression of a number of people justifying the adoption of the various protective and promotional measures provided for in this Charter;
- c. “non-territorial languages” means languages used by nationals of the State which differ from the language or languages used by the rest of the State’s population but which, although traditionally used within the territory of the State, cannot be identified with a particular area thereof.

Article 2 – Undertakings

(1) Each Party undertakes to apply the provisions of Part II to all the regional or minority languages spoken within its territory and which comply with the definition in Article 1.

(2) In respect of each language specified at the time of ratification, acceptance or approval, in accordance with Article 3, each Party undertakes to apply a minimum of thirty-five paragraphs or sub-paragraphs chosen from among the provisions of Part III of the Charter, including at least three chosen from each of the Articles 8 and 12 and one from each of the Articles 9, 10, 11 and 13.

Article 3 – Practical arrangements

(1) Each Contracting State shall specify in its instrument of ratification, acceptance or approval, each regional or minority language, or official language which is less widely used on the whole or part of its territory, to which the paragraphs chosen in accordance with Article 2, paragraph 2, shall apply.

(2) Any Party may, at any subsequent time, notify the Secretary General that it accepts the obligations arising out of the provisions of any other paragraph of the Charter not already specified in its instrument of ratification, acceptance or approval, or that it will apply paragraph 1 of the present article to other regional or minority languages, or to other official languages which are less widely used on the whole or part of its territory.

(3) The undertakings referred to in the foregoing paragraph shall be deemed to form an integral part of the ratification, acceptance or approval and will have the same effect as from their date of notification.

Article 4 – Existing regimes of protection

(1) Nothing in this Charter shall be construed as limiting or derogating from any of the rights guaranteed by the European Convention on Human Rights.

(2) The provisions of this Charter shall not affect any more favourable provisions concerning the status of regional or minority languages, or the legal regime of persons belonging to minorities which may exist in a Party or are provided for by relevant bilateral or multilateral international agreements.

Article 5 – Existing obligations

Nothing in this Charter may be interpreted as implying any right to engage in any activity or perform any action in contravention of the purposes of the Charter of the United Nations or other obligations under international law, including the principle of the sovereignty and territorial integrity of States.

Article 6 – Information

The Parties undertake to see to it that the authorities, organisations and persons concerned are informed of the rights and duties established by this Charter.

Part II – Objectives and principles pursued in accordance with Article 2, Paragraph 1

Article 7 – Objectives and principles

(1) In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:

- a. the recognition of the regional or minority languages as an expression of cultural wealth;
- b. the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;
- c. the need for resolute action to promote regional or minority languages in order to safeguard them;
- d. the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;
- e. the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;
- f. the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;
- g. the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;
- h. the promotion of study and research on regional or minority languages at universities or equivalent institutions;
- i. the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.

(2) The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.

(3) The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.

(4) In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.

(5) The Parties undertake to apply, *mutatis mutandis*, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

Part III – Measures to promote the use of regional or minority languages in public life in accordance with the undertakings entered into under Article 2, Paragraph 2

Article 8 – Education

(1) With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a.
 - i. to make available pre-school education in the relevant regional or minority languages; or

- ii. to make available a substantial part of pre-school education in the relevant regional or minority languages; or
 - iii. to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or
 - iv. if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;
- b.
 - i. to make available primary education in the relevant regional or minority languages; or
 - ii. to make available a substantial part of primary education in the relevant regional or minority languages; or
 - iii. to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;
- c.
 - i. to make available secondary education in the relevant regional or minority languages; or
 - ii. to make available a substantial part of secondary education in the relevant regional or minority languages; or
 - iii. to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- d.
 - i. to make available technical and vocational education in the relevant regional or minority languages; or
 - ii. to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
 - iii. to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;

- e.
 - i. to make available university and other higher education in regional or minority languages; or
 - ii. to provide facilities for the study of these languages as university and higher education subjects; or
 - iii. if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;
- f.
 - i. to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or
 - ii. to offer such languages as subjects of adult and continuing education; or
 - iii. if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;
- g. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;
- h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;
- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

(2) With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

Article 9 – Judicial authorities

(1) The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

- a. in criminal proceedings:
 - i. to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or
 - ii. to guarantee the accused the right to use his/her regional or minority language; and/or
 - iii. to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language; and/or
 - iv. to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned.
 - b. in civil proceedings:
 - i. to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or
 - ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or
 - iii. to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;
 - c. in proceedings before courts concerning administrative matters:
 - i. to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or
 - ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or
 - iii. to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;
 - d. to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned.
- (2) The Parties undertake:
- a. not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language; or
 - b. not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a re-

gional or minority language, and to provide that they can be invoked against interested third parties who are not users of these languages on condition that the contents of the document are made known to them by the person(s) who invoke(s) it; or

- c. not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.

(3) The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they are otherwise provided.

Article 10 – Administrative authorities and public services

(1) Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- i. to ensure that the administrative authorities use the regional or minority languages; or
- ii. to ensure that such of their officers as are in contact with the public use the regional or minority languages in their relations with persons applying to them in these languages; or
- iii. to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or
- iv. to ensure that users of regional or minority languages may submit oral or written applications in these languages; or
- v. to ensure that users of regional or minority languages may validly submit a document in these languages;
- b. to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;
- c. to allow the administrative authorities to draft documents in a regional or minority language.

(2) In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- a. the use of regional or minority languages within the framework of the regional or local authority;
- b. the possibility for users of regional or minority languages to submit oral or written applications in these languages;

- c. the publication by regional authorities of their official documents also in the relevant regional or minority languages;
- d. the publication by local authorities of their official documents also in the relevant regional or minority languages;
- e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
- f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
- g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

(3) With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

- a. to ensure that the regional or minority languages are used in the provision of the service; or
- b. to allow users of regional or minority languages to submit a request and receive a reply in these languages; or
- c. to allow users of regional or minority languages to submit a request in these languages.

(4) With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

- a. translation or interpretation as may be required;
- b. recruitment and, where necessary, training of the officials and other public service employees required;
- c. compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.

(5) The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

Article 11 – Media

(1) The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities,

directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

- a. to the extent that radio and television carry out a public service mission:
 - i. to ensure the creation of at least one radio station and one television channel in the regional or minority languages; or
 - ii. to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages; or
 - iii. to make adequate provision so that broadcasters offer programmes in the regional or minority languages;
- b.
 - i. to encourage and/or facilitate the creation of at least one radio station in the regional or minority languages; or
 - ii. to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;
- c.
 - i. to encourage and/or facilitate the creation of at least one television channel in the regional or minority languages; or
 - ii. to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;
- d. to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;
 - i. to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages; or
 - ii. to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;
- e.
 - i. to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media; or
 - ii. to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;
- f. to support the training of journalists and other staff for media using regional or minority languages.

(2) The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that

no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

(3) The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

Article 12 – Cultural activities and facilities

(1) With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including **inter alia** the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;
- b. to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
- c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
- d. to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing;
- e. to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who

- have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;
- f. to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;
 - g. to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;
 - h. if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in each regional or minority language.
- (2) In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.
- (3) The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

Article 13 – Economic and social life

- (1) With regard to economic and social activities, the Parties undertake, within the whole country:
- a. to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations;
 - b. to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of regional or minority languages, at least between users of the same language;
 - c. to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;
 - d. to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above subparagraphs.
- (2) With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in

which the regional or minority languages are used, and as far as this is reasonably possible:

- a. to include in their financial and banking regulations provisions which allow, by means of procedures compatible with commercial practice, the use of regional or minority languages in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;
- b. in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;
- c. to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;
- d. to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;
- e. to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

Article 14 – Transfrontier exchanges

The Parties undertake:

- a. to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;
- b. for the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.

Source: ETS No. 148. The full text of the European Charter for Regional or Minority Languages and information about signatures and ratifications can be found on the Council of Europe website at:

<http://conventions.coe.int/Treaty/EN/CadreListeTraites.htm>

Charter of Paris for a New Europe

The Charter of Paris for a New Europe was adopted by the Organization for Security and Co-operation in Europe at a Summit Meeting of Heads of State or Government of participating States in Paris on 21 November 1990.

Human Rights, Democracy and Rule of Law

We affirm that the ethnic, cultural, linguistic and religious identity of national minorities will be protected and that persons belonging to national minorities have the right freely to express, preserve and develop identity without any discrimination and in full equality before the law.

Human dimension

(...) Determined to foster the rich contribution of national minorities to the life of our societies, we undertake further to improve their situation. We reaffirm our deep conviction that friendly relations among our peoples, as well as peace, justice, stability and democracy, require that the ethnic, cultural, linguistic and religious identity of national minorities be protected and conditions for the promotion of that identity be created. We declare that questions related to national minorities can only be satisfactorily resolved in a democratic political framework. We further acknowledge that the rights of persons belonging to national minorities must be fully respected as part of universal human rights.

Note: The full text version of the Charter of Paris can be found on the Internet site of the Organization for Security and Co-operation in Europe.

Charter of Fundamental Rights of the European Union

The Charter of Fundamental Rights of the European Union entered into force on 7 December 2000 and contains several provisions concerning languages and language rights.

Article 21.

(1) Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.

Article 22.

The Union shall respect cultural, religious and linguistic diversity.

Article 41.

(4) Every person may write to the institutions of the Union in one of the languages of the Treaties and must have an answer in the same language.

Note: The full text of the Charter is available on the website of the European Parliament at: http://www.europarl.eu.int/charter/pdf/text_en.pdf

African Charter on Human and Peoples' Rights

The African Charter on Human and Peoples' Rights was adopted by African States members of the Organization of African Unity meeting in Banjul, Gambia, on 27 June 1981. It entered into force on 21 October 1986.

Article 2.

Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

Source: OAU Doc. CAB/LEG/67/3 rev. 5. The text of the Charter can be found on an Internet database operated by the University of Minnesota's Human Rights Library.

African Charter on the Rights and Welfare of the Child

Article 3.

Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.

Article 17.

- (2) States Parties to the present Charter shall in particular:
 - ii. shall be informed promptly in a language that he understands and in detail of the charge against him, and shall be entitled to the assistance of an interpreter if he or she cannot understand the language used;

Source: OAU Doc. CAB/LEG/24.9/49 (1990). The text of the Charter can be found on an Internet database operated by the University of Minnesota's Human Rights Library.

REKOMENDACJE (RECOMMENDATIONS)

Recommendation Concerning the Status of Teachers

Adopted in Paris on 5 October 1966 by the Special Intergovernmental Conference on the Status of Teachers, convened by UNESCO, in cooperation with the ILO.

IV. Educational objectives and policies

(10) Appropriate measures should be taken in each country to the extent necessary to formulate comprehensive educational policies consistent with the Guiding Principles, drawing on all available resources, human and otherwise. In so doing, the competent authorities should take account of the consequences for teachers of the following principles and objectives:

9. all educational planning should include at each stage early provision for the training, and the further training, of sufficient numbers of fully competent and qualified teachers of the country concerned who are familiar with the life of their people and able to teach in the mother tongue;

Note: The full text of the Recommendation concerning the Status of Teachers is available at:
<http://www.ei-ie.org/ressourc/english/erec1966.htm>

Recommendation on the Development of Adult Education

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Nairobi from 26 October to 30 November 1976, at its nineteenth session,

Recalling the principles set forth in Articles 26 and 27 of the Universal Declaration of Human Rights, guaranteeing and specifying the right of everyone to education and to participate freely in cultural, artistic and scientific life and the principles set forth in Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights,

Considering that education is inseparable from democracy, the abolition of privilege and the promotion within society as a whole of the ideas of autonomy, responsibility and dialogue,

Considering that the access of adults to education, in the context of life-long education, is a fundamental aspect of the right to education and facilitates the exercise of the right to participate in political, cultural, artistic and scientific life,

Considering that for the full development of the human personality, particularly in view of the rapid pace of scientific, technical, economic and social change, education must be considered on a global basis and as a life-long process,

Considering that the development of adult education, in the context of lifelong education, is necessary as a means of achieving a more rational and more equitable distribution of educational resources between young people and adults, and between different social groups, and of ensuring better understanding and more effective collaboration between the generations and greater political, social and economic equality between social groups and between the sexes,

Bearing in mind the diversity of modes of training and education throughout the world and the special problems peculiar to the countries

whose education systems are as yet underdeveloped or insufficiently adapted to national needs,

In order to give effect to the conclusions, declarations and recommendations formulated by the second and third international conferences on adult education (Montreal, 1960; Tokyo, 1972) and, as far as the relevant paragraphs are concerned, by the World Conference of the International Women's Year (Mexico, 1975),

Desirous of making a further contribution to putting into effect the principles set forth in the recommendations addressed by the International Conference on Public Education to the Ministries of Education concerning the access of women to education (Recommendation No. 34, 1952), facilities for education in rural areas (Recommendation No. 47, 1958), and literacy and adult education (Recommendation No. 58, 1965), in the Declaration adopted at the International Symposium for Literacy in Persepolis (1975) and in the Recommendation concerning Education for International Understanding, Co-operation and Peace, and Education relating to Human Rights and Fundamental Freedoms adopted by the General Conference at its eighteenth session (1974);

Taking note of the provisions of the Revised Recommendation concerning Technical and Vocational Education adopted by the General Conference at its eighteenth session (1974) and of resolution 3.426 adopted at the same session with a view to the adoption of an international instrument concerning action designed to ensure that the people at large have free democratic access to culture and an opportunity to take an active part in the cultural life of society,

Convinced that adult education as an integral part of life-long education can contribute decisively to economic and cultural development, social progress and world peace as well as to the development of educational systems,

Considering that the experience acquired in adult education must constantly contribute to the renewal of educational methods, as well as to the reform of educational systems as a whole,

Considering the universal concern for literacy as being a crucial factor in political and economic development, in technological progress and in social and cultural change, so that its promotion should therefore form an integral part of any plan for adult education,

Reaffirming that the attainment of this objective entails creating situations in which the adults are able to choose, from among a variety of forms of educational activity the objectives and content of which have been defined with their collaboration, those forms which meet their needs most closely and are most directly related to their interests,

Noting further that the International Labour Conference has adopted a number of instruments concerned with various aspects of adult education, and in particular the recommendation on vocational guidance (1949), the recommendation on vocational training in agriculture (1956), as well as the convention and recommendation concerning paid educational leave (1974), and of human resources development(1975),

Having decided, at its eighteenth session, that adult education would be the subject of a recommendation to Member States,

Adopts this twenty-sixth day of November 1976, the present Recommendation.

The General Conference recommends that Member States apply the following provisions by taking whatever legislative or other steps may be required, and in conformity with the constitutional practice of each State, to give effect to the principles set forth in this Recommendation.

The General Conference recommends that Member States bring this Recommendation to the attention of the authorities, departments or bodies responsible for adult education and also of the various organizations carrying out educational work for the benefit of adults, and of trade union organizations, associations, enterprises, and other interested parties.

The General Conference recommends that Member States report to it, at such dates and in such form as shall be determined by it, on the action taken by them in pursuance of this Recommendation.

I. Definition

(1) In this Recommendation:

the term 'adult education' denotes the entire body of organized educational processes, whatever the content, level and method, whether formal or otherwise, whether they prolong or replace initial education in schools, colleges and universities as well as in apprenticeship, whereby persons regarded as adult by the society to which they belong develop their abilities, enrich their knowledge, improve their technical or professional qualifications or turn them in a new direction and bring about changes in their attitudes or behavior in the twofold perspective of full personal development and participation in balanced and independent social, economic and cultural development;

adult education, however, must not be considered as an entity in itself, it is a subdivision, and an integral part of, a global scheme for life-long education and learning;

the term 'life-long education and learning', for its part, denotes an overall scheme aimed both at restructuring the existing education system and at developing the entire educational potential outside the education system; creating an understanding of and respect for the diversity of customs and cultures, on both the national and the international planes; in such a scheme men and women are the agents of their own education, through continual interaction between their thoughts 'and actions; education and learning, far from being limited to the period of attendance at school, should extend throughout life, include all skills and branches of knowledge, use all possible means, and give the opportunity to all people for full development of the personality; the educational and learning processes in which children, young people and adults of all ages are involved in the course of their lives, in whatever form, should be considered as a whole.

II. Objectives and strategy

(2) Generally speaking, the aims of adult education should be to contribute to:

- (a) promoting work for peace, international understanding and co-operation;
- (b) developing a critical understanding of major contemporary problems and social changes and the ability to play an active part in the progress of society with a view to achieving social justice;
- (c) promoting increased awareness of the relationship between people and their physical and cultural environment, and fostering the desire to improve the environment and to respect and protect nature, the common heritage and public property;
- (d) creating an understanding of and respect for the diversity of customs and cultures, on both the national and the international planes;
- (e) promoting increased awareness of, and giving effect to various forms of communication and solidarity at the family, local, national, regional and international levels;
- (f) developing the aptitude for acquiring, either individually, in groups or in the context of organized study in educational establishments specially set up, for this purpose, new knowledge, qualifications, attitudes or forms of behavior conducive to the full maturity of the personality;
- (g) ensuring the individuals' conscious and effective incorporation into working life by providing men and women with an advanced techni-

- cal and vocational education and developing the ability to create, either individually or in groups, new material goods and new spiritual or aesthetic values;
- (h) developing the ability to grasp adequately the problems involved in the upbringing of children;
 - (i) developing the attitude for making creative use of leisure and for acquiring any necessary or desired knowledge;
 - (j) developing the necessary discernment in using mass communication media, in particular radio, television, cinema and the press, and interpreting the various messages addressed to modern men and women by society;
 - (k) developing the aptitude for learning to learn.
- (3) Adult education should be based on the following principles:
- a. it should be based on the needs of the participants and make use of their different experiences in the development of adult education; the most educationally underprivileged groups should be given the highest priority within a perspective of collective advancement;
 - b. it should rely on the ability and determination of all human beings to make progress throughout their lives both at the level of their personal development and in relation to their social activity;
 - c. it should awaken an interest in reading and develop cultural aspirations;
 - d. it should stimulate and sustain the interest of adult learners, appeal to their experience, strengthen their self-reliance, and enlist their active participation at all stages of the educational process in which they are involved;
 - e. it should be adapted to the actual conditions of everyday life and work and take into account the personal characteristics of adult learners, their age, family, social, occupational or residential background and the way in which these interrelate;
 - f. it should seek the participation of individual adults, groups and communities in decision-making at all levels of the learning process; including determination of needs, curriculum development, programme implementation and evaluation and should plan educational activities with a view to the transformation of the working environment and of the life of adults;
 - g. it should be organized and operated flexibly by taking into account social, cultural, economic and institutional factors of each country and society to which adult learners belong;
 - h. it should contribute to the economic and social development of the entire community;

- i. it should recognize as an integral part of the educational process the forms of collective organization established by adults with a view to solving their day-to-day problems;
 - j. it should recognize that every adult, by virtue of his or her experience of life, is the vehicle of a culture which enables him or her to play the role of both learner and teacher in the educational process in which he or she participates.
- (4) Each Member State should:
- a. recognize adult education as a necessary and specific component of its education system and as a permanent element in its social, cultural and economic development policy; it should, consequently, promote the creation of structures, the preparation and implementation of programmes and the application of educational methods which meet the needs and aspirations of all categories of adults, without restriction on grounds of sex, race, geographical origin, age, social status, opinion, belief or prior educational standard;
 - b. recognize that although, in a given situation or for a specific period, adult education may play a compensatory role, it is not intended as a substitute for adequate youth education which is a prerequisite for the full success of adult education;
 - c. in eliminating the isolation of women from adult education, work towards ensuring equality of access and full participation in the entire range of adult education activities, including those which provide training for qualifications leading to activities or responsibilities which have hitherto been reserved for men;
 - d. take measures with a view to promoting participation in adult education and community development programmes by members of the most under-privileged groups, whether rural or urban, settled or nomadic, and in particular illiterates, young people who have been unable to acquire an adequate standard of general education or a qualification, migrant workers and refugees, unemployed workers, members of ethnic minorities, persons suffering from a physical or mental handicap, persons experiencing difficulties of social adjustment and those serving prison sentences. In this context, Member States should associate themselves in the search for educational strategies designed to foster more equitable relations among social groups.
- (5) The place of adult education in each education system should be defined with a view to achieving:
- a. a rectification of the main inequalities in access to initial education and training, in particular inequalities based on age, sex, social position or social or geographical origin;

- b. the assurance of a scientific basis for life-long education and learning as well as greater flexibility in the way in which people divide their lives between –education and work, and, in particular, providing for the alternation of periods of education and work throughout the life span, and facilitating the integration of continuing education into the activity of work itself;
 - c. recognition, and increased exploitation, of the actual or potential educational value of the adult's various experiences;
 - d. easy transfer from one type or level of education to another;
 - e. greater interaction between the education action system and its social, cultural and economic setting;
 - f. greater efficiency from the point of view of the contribution of educational expenditure to social, cultural and economic development.
- (6) Consideration should be given to the need for an adult education component, including literacy, in the framing and execution of any development programme.
- (7) The objectives and goals of adult education policy should be incorporated in national development plans; they should be defined in relation to the overall objectives of education policy and of social, cultural and economic development policies. Adult education and other forms of education, particularly school and higher education and initial vocational training, should be conceived and organized as equally essential components in a co-ordinated but differentiated education system according to the tenets of life-long education and learning.
- (8) Measures should be taken to encourage the public authorities, institutions or bodies engaged in education, voluntary associations, workers' and employers' organizations, and those directly participating in adult education, to collaborate in the task of defining further and giving effect to these objectives.

III. Content of adult education

(9) Adult education activities, viewed as forming part of life-long education and learning, have no theoretical boundaries and should meet the particular situations created by the specific needs of development, of participation in community life and of individual self-fulfillment; they cover all aspects of life and all fields of knowledge and are addressed to all people whatever their level of achievement. In defining the content of adult education activities priority should be given to the specific needs of the educationally most underprivileged groups.

(10) Civic, political, trade union and co-operative education activities should be aimed particularly towards developing independent and critical judgment and implanting or enhancing the abilities required by each individual in order to cope with changes affecting living and working conditions, by effective participation in the management of social affairs at every level of the decision making process.

(11) While not excluding approaches intended to achieve a short-term solution in a particular situation, technical and vocational education activities should as a general rule emphasize the acquisition of qualifications which are sufficiently broad to allow of subsequent changes of occupation and a critical understanding of the problems of working life. It is necessary to integrate general and civic education with technical and vocational education.

(12) Activities designed to promote cultural development and artistic creation should encourage appreciation of existing cultural and artistic values and works and, at the same time, should aim to promote the creation of new values and new works, by releasing the expressive capabilities inherent in each individual or group.

(13) Participation in adult education should not be restricted on grounds of sex, race, geographical origin, culture, age, social status, experience, belief and prior educational standard.

(14) With regard to women, adult education activities should be integrated as far as possible with the whole contemporary social movement directed towards achieving self-determination for women and enabling them to contribute to the life of society as a collective force, and should thus focus specifically on certain aspects, in particular:

- a. the establishment in each society of conditions of equality between men and women;
- b. the emancipation of men and women from the preconceived models imposed on them by society in every field in which they carry responsibility;
- c. civic, occupational, psychological, cultural and economic autonomy for women as a necessary condition for their existence as complete individuals;
- d. knowledge about the status of women, and about women's movements, in various societies, with a view to increased solidarity across frontiers.

(15) With regard to settled or nomadic rural populations, adult education activities should be designed in particular to:

- a. enable them to use technical procedures and methods of individual or joint organization likely to improve their standard of living without obliging them to forgo their own values;

- b. put an end to the isolation of individuals or groups;
- c. prepare individuals or groups of individuals who are obliged, despite the efforts made to prevent excessive depopulation of rural areas, to leave agriculture, either to engage in a new occupational activity while remaining in a rural environment, or to leave this environment for a new way of life.

(16) With regard to such persons or groups as have remained illiterate or are experiencing difficulty in adjusting to society because of the slenderness of their resources, their limited education or their restricted participation in community life, adult education activities should be designed not only to enable them to acquire basic knowledge (reading, writing, arithmetic, basic understanding of natural and social phenomena), but also to make it easier for them to engage in productive work, to promote their self-awareness and their grasp of the problems of hygiene, health, household management and the upbringing of children, and to enhance their autonomy and increase their participation in community life.

(17) With regard to young people who have been unable to acquire an adequate standard of general education or a qualification, adult education activities should, in particular, enable them to acquire additional general education with a view to developing their ability to understand the problems of society and shoulder social responsibilities, and to gaining access to the vocational training and general education which are necessary for the exercise of an occupational activity.

(18) If people wish to acquire educational or vocational qualifications which are formally attested by certificates of education or of vocational aptitude and which, for social or economic reasons, they have not been able to obtain earlier, adult education should enable them to obtain the training required for the award of such certificates.

(19) With regard to the physically or mentally handicapped, adult education activities should be designed, in particular, to restore or offset the physical or mental capacities which have been impaired or lost as a result of their handicap, and to enable them to acquire the knowledge and skills and, where necessary, the professional qualifications required for their social life and for the exercise of an occupational activity compatible with their handicap.

(20) With regard to migrant workers, refugees, and ethnic minorities, adult education activities should in particular:

- a. enable them to acquire the linguistic and general knowledge as well as the technical or professional qualifications necessary for their temporary or permanent assimilation in the society of the host country and, where appropriate, their reassimilation in the society of their country of origin;

- b. keep them in touch with culture, current developments and social changes in their country of origin.

(21) With regard to unemployed persons, including the educated unemployed, adult education activities should be designed, in particular, to adapt or modify their technical or professional qualification with a view to enabling them to find or return to employment and to promote a critical understanding of their socio-economic situation.

(22) With regard to ethnic minorities, adult education activities should enable them to express themselves freely, educate themselves and their children in their mother tongues, develop their own cultures and learn languages other than their mother tongues.

(23) With regard to the aged, adult education activities should be designed, in particular:

- a. to give all a better understanding of contemporary problems and of the younger generation;
- b. to help acquire leisure skills, promote health and find increased meaning in life;
- c. to provide a grounding in the problems facing retired people and in ways of dealing with such problems, for the benefit of those who are on the point of leaving working life;
- d. to enable those who have left working life to retain their physical and intellectual faculties and to continue to participate in community life and also to give them access to fields of knowledge or types of activity which have not been open to them during their working life.

IV. Methods, means, research and evaluation

(24) Adult education methods should take account of:

- a. incentives and obstacles to participation and learning specially affecting adults;
- b. the experience gained by adults in the exercise of their family, social and, occupational responsibilities;
- c. the family, social or occupational obligations borne by adults and the fatigue and impaired alertness which may result from them;
- d. the ability of adults to assume responsibility for their own learning;
- e. the cultural and pedagogical level of the teaching personnel available;
- f. the psychological characteristics of the learning process;
- g. the existence and characteristics of cognitive interests;
- h. use of leisure time.

(25) Adult education activities should normally be planned and executed on the basis of identified needs, problems, wants and resources, as well as defined objectives. Their impact should be evaluated, and reinforced by whatever follow-up activities may be most appropriate to given conditions.

(26) Particular emphasis should be placed on adult education activities intended for an entire social or geographical entity, mobilizing all its inherent energies with a view to the advancement of the group and social progress in a community setting.

(27) In order to encourage the broadest possible participation, it may be appropriate in some situations to add, to locally based adult education, methods such as:

- a. remote teaching programmes such as correspondence courses and radio or television broadcasts, the intended recipients of such programmes being invited to form groups with a view to listening or working together (such groups should receive appropriate pedagogical support);
- b. programmes launched by mobile units;
- c. self-teaching programmes;
- d. study circles;
- e. use of voluntary work by teachers, students and other community members.

The various services which public cultural institutions (libraries, museums, record libraries, video-cassette libraries) are able to put at the disposal of adult learners should be developed on a systematic basis, together with new types of institutions specializing in adult education.

(28) Participation in an adult education programme should be a voluntary matter. The State and other bodies should strive to promote the desire of individuals and groups for education in the spirit of life-long education and learning.

(29) Relations between the adult learner and the adult educator should be established on a basis of mutual respect and co-operation.

(30) Participation in an adult education programme should be subject only to the ability to follow the course of training provided and not to any (upper) age limit or any condition concerning the possession of a diploma or qualification; any aptitude tests on the basis of which a selection might be made if necessary should be adapted to the various categories of candidates taking such tests.

(31) It should be possible to acquire and accumulate learning, experiences and qualifications through intermittent participation. Rights and qualifications obtained in this way should be equivalent to those granted by

the systems of formalized education or of such character as to allow for continued education within this.

(32) The methods used in adult education should not appeal to a competitive spirit but should develop in the adult learners a shared sense of purpose and habits of participation, mutual help, collaboration and team work.

(33) Adult education programmes for the improvement of technical or professional qualifications should, as far as possible, be organized during working time and, in the case of seasonal work, during the slack season. This should, as a general rule, be applied also to other forms of education, in particular literacy programmes and trade union education.

(34) The premises necessary for the development of adult education activities should be provided; depending on the case, these may be premises used exclusively-for adult education, with or without residential accommodation, or multi-purpose or integrated facilities or premises generally used or capable of being used for other purposes-in particular, clubs, workshops, school, university and scientific establishments, social, cultural or socio-cultural centers or open air sites.

(35) Member States should actively encourage co-operative research in all aspects of adult education and its objectives. Research programmes should have a practical basis. They should be carried out by universities, adult education bodies and research bodies, adopting an interdisciplinary approach. Measures should be taken with a view to disseminating the experience and the results of the research programmes to those concerned at the national and international levels.

(36) Systematic evaluation of adult education activities is necessary to secure optimum results from the resources put into them. For evaluation to be effective it should be built into the programmes of adult education at all levels and stages.

V. The structures of adult education

(37) Member States should endeavour to ensure the establishment and development of a network of bodies meeting the needs of adult education; this network should be sufficiently flexible to meet the various personal and social situations and their evolution.

(38) Measures should be taken in order to:

- a. identify and anticipate educational needs capable of being satisfied through adult education programmes;

- b. make full use of existing educational facilities and create such facilities as may be lacking to meet all defined objectives;
- c. make the necessary long-term investments for the development of adult education: in particular for the professional education of planners, administrators, those who train educators, organizational and training personnel, the preparation of educational strategies and methods suitable for adults, the provision of capital facilities, the production and provision of the necessary basic equipment such as visual aids, apparatus and technical media;
- d. encourage exchanges of experience and compile and disseminate statistical and other information on the strategies, structures, content, methods and results, both quantitative and qualitative, of adult education;
- e. abolish economic and social obstacles to participation in education, and to systematically bring the nature and form of adult education programmes to the attention of all potential beneficiaries, but especially to the most disadvantaged, by using such means as active canvassing by adult education institutions and voluntary organizations, to inform, counsel and encourage possible and often hesitant participants in adult education.

(39) In order to achieve these objectives it will be necessary to mobilize organizations and institutions specifically concerned with adult education, and the full range, both public and private of schools, universities, cultural and scientific establishments, libraries and museums, and, in addition, other institutions not primarily concerned with adult education, such as:

- a. mass information bodies: the press, radio and television;
- b. voluntary associations and consortia;
- c. professional, trade union, family and co-operative organizations;
- d. families;
- e. industrial and commercial firms which may contribute to the training of their employees;
- f. educators, technicians or qualified experts working on an individual basis;
- g. any persons or groups who are in a position to make a contribution by virtue of their education, training, experience or professional or social activities and are both willing and able to apply the principles set forth in the Preamble and the objectives and strategy outlined in the Recommendation;
- h. the adult learners themselves.

(40) Member States should encourage schools, vocational education establishments, colleges and institutions of higher education to regard adult education programmes as an integral part of their own activities and to par-

ticipate in action designed to promote the development of such programmes provided by other institutions, in particular by making available their own teaching staff, conducting research and training the necessary personnel.

VI. Training and status of persons engaged in adult education work

(41) It should be recognized that adult education calls for special skills, knowledge, understanding and attitudes on the part of those who are involved in providing it, in whatever capacity and for any purpose. It is desirable therefore that they should be recruited with care according to their particular functions and receive initial and in-service training for them according to their needs and those of the work in which they are engaged.

(42) Measures should be taken to ensure that the various specialists who have a useful contribution to make to the work of adult education take part in those activities, whatever their nature or purpose.

(43) In addition to the employment of full-time professional workers, measures should be taken to enlist the support of anyone capable of making a contribution, regular or occasional, paid or voluntary, to adult education activities, of any kind. Voluntary involvement and participation in all aspects of organizing and teaching are of crucial importance, and people with all kinds of skills are able to contribute to them.

(44) Training for adult education should, as far as practicable, include all those aspects of skill, knowledge, understanding and personal attitude which are relevant to the various functions undertaken, taking into account the general background against which adult education takes place. By integrating these aspects with each other, training should itself be a demonstration of sound adult education practice.

(45) Conditions of work and remuneration for full-time staff in adult education should be comparable to those of workers in similar posts elsewhere, and those for paid part-time staff should be appropriately regulated, without detriment to their main occupation.

VII. Relations between adult education and youth education

(46) The education of young people should progressively be oriented towards life-long education and learning, taking into account the experience gained in regard to adult education, with a view to preparing young people, whatever their social origins, to take part in adult education or to contribute to providing it.

To this end, measures should be taken with a view to:

- a. making access to all levels of education and training more widely available;
- b. removing the barriers between disciplines and also between types and levels of education;
- c. modifying school and training syllabuses with the aim of maintaining and stimulating intellectual curiosity, and also placing greater emphasis, alongside the acquisition of knowledge, on the development of self-teaching patterns of behavior, a critical outlook, a reflective attitude and creative abilities;
- d. rendering school institutions of higher education and training establishments increasingly open to their economic and social environment and linking education and work more firmly together;
- e. informing young people at school and young people leaving full-time education or initial training of the opportunities offered by adult education;
- f. bringing together, where desirable, adults and adolescents in the same training programme;
- g. associating youth movements with adult education ventures.

(47) In cases where a training course organized as part of adult education leads to the acquisition of a qualification in respect of which a diploma or certificate is awarded when the qualification is acquired through study in school or university, such training should be recognized by the award of a diploma or certificate having equal status. Adult education programmes which do not lead to the acquisition of a qualification similar to those in respect of which a diploma or certificate is awarded should, in appropriate cases, be recognized by an award.

(48) Adult education programmes for youth need to be given the highest priority because in most parts, of the world the youth form an extremely large segment of society and their education is of the greatest importance for political, economic, social and cultural development of the society in which they live. The programmes of adult education for youth should take account not only of their learning needs, but should enable them to orient themselves for the society of the future.

VIII. The relations between adult education and work

(49) Having regard to the close connection between guaranteeing the right to education and the right to work, and to the need to promote the participation of all, whether wage-earners or not, in adult education pro-

grammes, not only by reducing the constraints to which they are subject but also by providing them with the opportunity of using in their work the knowledge, qualifications or aptitudes which adult education programmes are designed to make available to them, and of finding in work a source of personal fulfillment and advancement, and a stimulus to creative activity in both work and social life, measures should be taken:

- a. to ensure that, in the formulation of the curriculum of adult education programmes and activities, the working experience of adults should be taken into account;
- b. to improve the organization and conditions of work and, in particular, to alleviate the arduous character of work and reduce and adjust working hours;
- c. to promote the granting of educational leave during working time, without loss of remuneration or subject to the payment of compensatory remuneration and payments for the purpose of offsetting the cost of the education received and to use any other appropriate aid to facilitate education or updating during working life;
- d. to protect the employment of persons thus assisted;
- e. to offer comparable facilities to housewives and other homemakers and to non-wage-earners, particularly those of limited means.

(50) Member States should encourage or facilitate the inclusion in collective labour agreements of clauses bearing on adult education, and in particular clauses stipulating:

- a. the nature of the material possibilities and financial benefits extended to employees, and in particular those employed in sectors where rapid technological change is taking place or those threatened with being laid off, with a view to their participation in adult education programmes;
- b. the manner in which technical or professional qualifications acquired through adult education are taken into account in determining the employment category and in establishing the level of remuneration.

(51) Member States should also invite employers:

- a. to anticipate and publicize, by level and type of qualification, their skilled manpower requirements and the methods of recruitment which are envisaged to meet such needs;
- b. to organize or develop a recruitment system such as will encourage their employees to seek to improve their occupational qualifications.

(52) In connection with adult training programmes organized by employers for their staff, Member States should encourage them to ensure that:

- a. employees participate in the preparation of the programmes;

- b. those taking part in such programmes are chosen in consultation with the workers' representative bodies;
- c. participants receive a certificate of training or paper qualification on completion of the programme enabling them to satisfy third parties that they have completed a given course or received a given qualification.

(53) Measures should be taken with a view to promoting the participation of adults belonging to labouring, agricultural or craft communities in the implementation of adult education programmes intended for such communities; to this end they should be granted special facilities with the aim of enabling the workers to take those decisions which primarily concern them.

IX. Management, administration, co-ordination and financing of adult education

(54) There should be set up, at all levels, international, regional, national and local:

- a. structures or procedures for consultation and co-ordination between public authorities which are competent in the field of adult education;
- b. structures or procedures for consultation, co-ordination and harmonization between the said public authorities, the representatives of adult learners and the entire range of bodies carrying out adult education programmes or activities designed to promote the development of such programmes.

It should be among the principal functions of these structures, for which resources should be made available, to identify the objectives, to study the obstacles encountered, to propose and, where appropriate, carry out 'the measures necessary for implementation of the adult education policy and to evaluate the progress made.

(55) There should be set up at national level, and, where appropriate, at sub-national level, structures for joint action and co-operation between the public authorities and bodies responsible for adult education on the one hand and the public or private bodies responsible for radio and television on the other.

It should be among the principal functions of these structures to study, propose and, where appropriate, carry out measures designed to:

- a. ensure that the mass media make a substantial contribution to leisure-time occupations and to the education of the people;

- b. guarantee freedom of expression, through the mass media, for all opinions and trends in the field of adult education;
- c. promote the cultural or scientific value and the educational qualities of programmes as a whole;
- d. establish a two-way flow of exchanges between those responsible for or those professionally engaged in educational programmes broadcast by radio or television and the persons for whom the programmes are intended.

(56) Member States should ensure that the public authorities, while assuming their own specific responsibilities for the development of adult education:

- a. encourage, by laying down an appropriate legal and financial framework, the creation and development of adult education associations and consortia on a voluntary and administratively independent basis;
- b. provide competent non-governmental bodies participating in adult education programmes, or in action designed to promote such programmes, with technical or financial resources enabling them to carry out their task;
- c. see that such non-governmental bodies enjoy the freedom of opinion and the technical and educational autonomy which are necessary in order to give effect to the principles set forth in paragraph 2 above;
- d. take appropriate measures to ensure the educational and technical efficiency and quality of programmes or action conducted by bodies in receipt of contributions from public funds.

(57) The proportion of public funds, and particularly of public funds earmarked for education, allocated to adult education, should match the importance of such education for social, cultural and economic development, as recognized by each Member State within the framework of this Recommendation. The total allocation of funds to adult education should cover at least:

- a. provision of suitable facilities or adaptation of existing facilities;
- b. production of all kinds of learning materials;
- c. remuneration and further training of educators;
- d. research and information expenses;
- e. compensation for loss of earnings;
- f. tuition, and, where necessary and if possible, accommodation and travel costs of trainees.

(58) Arrangements should be made to ensure, on a regular basis, the necessary funds for adult education programmes and action designed to promote the development of such programmes; it should be recognized that the public authorities, including local authorities, credit organizations,

provident societies and national insurance agencies where they exist, and employers should contribute to these funds to an extent commensurate with their respective responsibilities and resources.

(59) The necessary measures should be taken to obtain optimum use of resources made available for adult education. All available resources, both material and human, should be mobilized to this end.

(60) For the individual, lack of funds should not be an obstacle to participation in adult education programmes. Member States should ensure that financial assistance for study purposes is available for those who need it to undertake adult education. The participation of members of underprivileged social groups should, as a general rule, be free of charge.

X. International co-operation

(61) Member States should strengthen their co-operation, whether on a bilateral or multilateral basis, with a view to promoting the development of adult education, the improvement of its content and methods, and efforts to find new educational strategies.

To this end, they should endeavour to incorporate specific clauses bearing on adult education in international agreements concerned with co-operation in the fields of education, science and culture, and to promote the development and strengthening of adult education work in UNESCO.

(62) Member States should put their experience with regard to adult education at the disposal of other Member States by providing them with technical assistance and, in appropriate cases, with material or financial assistance.

They should systematically support adult education activities conducted in countries so wishing, through UNESCO and through other international organizations, including non-governmental organizations, with a view to social, cultural and economic development in the countries concerned.

Care should be taken to ensure that international co-operation does not take the form of a mere transfer of structures, curricula, methods and techniques which have originated elsewhere, but consists rather in promoting and stimulating development within the countries concerned, through the establishment of appropriate institutions and well co-ordinated structures adapted to the particular circumstances of those countries.

(63) Measures should be taken at national, regional and international level:

- a. with a view to making regular exchanges of information and documentation on the strategies, structures, content, methods and results of adult education and on relevant research;

- b. with a view to training educators capable of working away from their home country, particularly under bilateral or multilateral technical assistance programmes.

These exchanges should be made on a systematic basis, particularly between countries facing the same problems and so placed as to be capable of applying the same solutions; to this end, meetings should be organized, more especially on a regional or sub-regional basis, with a view to publicizing relevant experiments and studying to what extent they are reproducible; similarly, joint machinery should be set up in order to ensure a better return on the research which is undertaken.

Member States should foster agreements on the preparation and adoption of international standards in important fields, such as the teaching of foreign languages and basic studies, with a view to helping create a universally accepted unit-credit system.

(64) Measures should be taken with a view to the optimum dissemination and utilization of audio-visual equipment and materials, as well as educational programmes and the material objects in which they are embodied. In particular, it would be appropriate:

- a. to adapt such dissemination and utilization to the various countries' social needs and conditions, bearing in mind their specific cultural characteristics and level of development;
- b. to remove, as far as possible, the obstacles to such dissemination and utilization resulting from the regulations governing commercial or intellectual property.

(65) In order to facilitate international co-operation, Member States should apply to adult education the standards recommended at international level, in particular with regard to the presentation of statistical data.

(66) Member States should support the action undertaken by UNESCO, as the United Nations Specialized Agency competent in this field, in its efforts to develop adult education, particularly in the fields of training, research and evaluation.

(67) Member States should regard adult education as a matter of global and universal concern, and should deal with the practical consequences which arise there from, furthering the establishment of a new international order, to which UNESCO, as an expression of the world community in educational, scientific and cultural matters, is committed.

Oslo Recommendations Regarding the Linguistic Rights of National Minorities

In its Helsinki Decisions of July 1992, the Organization for Security and Cooperation in Europe (OSCE) established the position of High Commissioner on National Minorities (HCNM) to be “an instrument of conflict prevention at the earliest possible stage”. This mandate was created largely in reaction to the situation in the former Yugoslavia which some feared would be repeated elsewhere in Europe, especially among the countries in transition to democracy, and could undermine the promise of peace and prosperity as envisaged in the Charter of Paris for a New Europe adopted by the Heads of State and Government in November 1990.

The Oslo Recommendations Regarding the Linguistic Rights of National Minorities attempt to clarify, in relatively straight-forward language, the content of minority language rights generally applicable in the situations in which the HCNM is involved.

Note: The full text of the Oslo Recommendations Regarding the Linguistic Rights of National Minorities can be found on the OSCE website.

Recommendation No. 77 to Ministries of Education to Struggle Against Illiteracy

The 42nd Session of the International Conference on Education was held in Geneva, Switzerland in 1990. Part III of the Conference's Final Report, entitled 'Recommendation No. 77 to Ministries of Education on the struggle against illiteracy: operational policies, strategies and programmes for the 1990s', highlights some of the concerns regarding education in a multilingual environment.

PRACTICAL MEASURES AND PROGRAMMES AT THE NATIONAL LEVEL

(10) An effective policy for the elimination of disparities between men's and women's literacy rate and between boys' and girls' access to primary schooling should be formulated, with time-bound targets and in co-operation, inter alia, with women's organizations.

(11) Decisions of the same kind should be taken concerning other specific groups such as urban slum-dwellers, the rural poor cultural and linguistic minorities and the handicapped

(12) In multilingual situations, the policy regarding the language of literacy should be carefully formulated, especially where the national or official language is different from local languages. Use of the mother tongue is desirable. However, in some situations bilingual literacy should be encouraged.

(29) Awareness-raising campaigns and existing facilities in all industrialized and developing countries should be substantially expanded to meet the basic learning needs of all adults. A systematic, research-based investigation of the question should seek to identify groups and individuals with inade-

quate schooling, including migrant workers and their families, whose linguistic and cultural identity should be respected, to determine the numbers involved and establish reliable statistical data.

The nature and scope of the basic learning needs of these different groups and individuals should also be identified in relation to cumulative factors such as unemployment, poverty, social marginalization, etc. Changing employment patterns demographic trends and evolving technology make these needs recurrent, generating a continuing demand for basic learning skills in the form of flexible and abiding educational services that call for a long-term commitment on the part of the authorities, in both industrialized and developing countries.

(32) Industrialized and developing countries should share their experience concerning common concerns with respect to the development of appropriate programmes to meet the needs of their populations concerns relating to language of instruction, highly dispersed populations, regions of extreme poverty, the diversity of groups with literacy needs, etc.

Note: The full text of the Final Report of the 42nd Session of the International Conference on Education is available at: http://www.unesco.org/education/pdf/REC_77_E.PDF

Recommendation No. 78 to Ministries Responsible for Education and Culture Concerning the Contribution of Education to Cultural Development

Part IV of the Final Report of the 43rd Session of the International Conference on Education (Geneva 1992), entitled 'Recommendation No. 78 to ministries responsible for education and culture concerning the contribution of education to cultural development' includes several recommendations concerning language of instruction.

(14) **Teaching and languages:** The choice of one or more languages, the mother tongue or a national or foreign language, as a separate subject or as a medium for studying other subjects is determined by the educational and cultural policy of each country. When choosing the language of instruction, in particular at the level of basic education, account should be taken both of the efficiency of the educational process and the right of individuals and various ethnic groups to preserve their cultural identity, of which their language is one of the most important vehicles. The views of these groups should be taken into account, as far as possible, in decisions concerning them. It is desirable that the education system, particularly through out-of-school cultural and educational activities, should contribute to the preservation and development of minority languages, particularly unwritten ones. In this context, research should be carried out in such fields as educational science, linguistics, anthropology and history, and the preparation of teaching materials in the mother tongue should be encouraged.

Note: The full text of the Final Report of the 43rd Session of the International Conference on Education is available at: http://www.unesco.org/education/pdf/REC_78_E.PDF

The Draft Recommendation on the Promotion and Use of Multilingualism and Universal Access to Cyberspace

The Draft Recommendation of the 30th Session of the General Conference, Paris, 1999 calls for measures fostering universal access to digital resources and services for all countries and communities while promoting the preservation of cultural and language diversity.

UNESCO's Member States invited the Organization to prepare this Recommendation in 1997 and in November 2001 recommended further consultations on the text before being submitted for approval to the 32nd Session of UNESCO's General Conference in October 2003.

Note: The full text of the Draft Recommendation on the Promotion and Use of Multilingualism and Universal Access to Cyberspace is available at:
http://www.unesco.org/webworld/mul_recom/recom.rtf

INNE DOKUMENTY (OTHER DOCUMENTS)

International Expert Meeting on UNESCO Programme: Safeguarding of the Endangered Languages

UNESCO, Paris, 10–12 March 2003

Recommendations for Action Plans

(1) *Reiterating* the principles proclaimed by the UNESCO Universal Declaration on Cultural Diversity (2 November 2001) and referring to Points 5, 6 and 10 of the Action Plan accompanying this Declaration:

Point 5. Safeguarding the linguistic heritage of humanity and giving support to expression, creation and dissemination in the greatest possible number of languages;

Point 6. Encouraging linguistic diversity – while respecting the mother tongue – at all levels of education, wherever possible, and fostering the learning of several languages from the youngest age;

Point 10. Promoting linguistic diversity in cyberspace and encouraging universal access through the global network to all information in the public domain;

(2) *Recalling* the UNESCO programme “Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity”;

(3) *Bearing in mind* the preparation of the international convention on the safeguarding of the Intangible Cultural Heritage;

(4) *Also recalling* that the resolution on “Implementation of a language policy for the world based on multilingualism,” adopted by the UNESCO 30th General Conference, states that linguistic diversity is threatened “by the globalization of communication and by the tendency to use a single language” as the global world language;

(5) *Referring* to Article 1 of the Final Communiqué of the Round Table of Ministers of Culture (Istanbul 2002)¹ and *reaffirming* the “extreme **vulnerability** of the intangible cultural heritage, which is threatened by disappearance or marginalization” as stated in Article 4 of the above-mentioned text and specified in Article 7.3, which recommends to encourage research and documentation, develop inventories and registers, establish legislations and appropriate mechanisms of protection, ensure the dissemination, through education and awareness-raising, of the values and significance of intangible cultural heritage, foster the recognition and protection of custodians together with the transmission of knowledge and know-how; and to consult and involve **all the stakeholders**, namely the governments, local and regional communities, the scientific community, the educational institutions, the civil society, the public and private sector as well as the media;

(6) *Having established* that the following nine criteria² should be used together to determine the degree of endangerment of a language:

1. Intergenerational Language Transmission
2. Absolute Number of Speakers
3. Proportion of Speakers Within the Total Population
4. Trends in Existing Language Domains³
5. Response to New Domains and Media
6. Materials for Language Education and Literacy
7. Governmental and Institutional Language Attitudes and Policies Including Official Status and Use
8. Community Members’ Attitudes Toward Their Own Language
9. Amount and Quality of Documentation;

(7) *Convinced* that, if outside linguists and other scientists are to be involved in projects safeguarding languages, at the earliest possible time teams of community members and linguists are to be formed, in which the working relationship should be primarily defined by the speech community, as this would ensure community participation and continuity;

¹ Article 1: The multiple expressions of intangible cultural heritage constitute some of the fundamental sources of the **cultural identity** of the peoples and communities as well as a wealth common to the whole of humanity. Deeply rooted in local history and natural environment and embodied, among others, by a great variety of languages that translate as many world visions, they are an essential factor in the preservation of cultural diversity, in line with the UNESCO Universal Declaration on Cultural Diversity (2001).

² Cf. UNESCO Intangible Cultural Heritage Unit’s Ad Hoc Expert Group on Endangered Languages: *Language Vitality and Endangerment* (2003, pp. 7–17). Under certain circumstances, these nine criteria may not be exhaustive.

³ “Language domains”: areas of language use.

(8) *Considering* that language professionals should not merely study the cultural and linguistic resources of communities whose traditional languages are endangered, but should also, upon request, assist in devising documentation, maintenance, and/or revitalization strategies;

(9) *Cognizant* that, in order for a language programme to be sustainable, the active involvement of local language educators, advocates, and specialists is crucial;

(10) *Considering* that, in order to maintain, revitalize, or promote an endangered language, coordinated action is needed, including

- a. the determination of the current scope of language use and of attitudes toward the language;
- b. the identification of ultimate goals;
- c. the determination of an effective action plan;
- d. the identification of available and required human, technical, and financial resources;
- e. the formation of teams consisting of community members, internal and external specialists, and representatives of regional or national authorities;
- f. the establishment of training programmes, including the use of ICTs, to build community capacity;

(11) *Further considering* that cultural and linguistic diversity contribute to the quality and richness of life; and also cognizant that linguistic and cultural diversity and biodiversity are interdependent and may support each other mutually; therefore

We, the experts participating in the *International Expert Meeting on the Safeguarding of Endangered Languages*, 10–12 March 2003, call upon the Director-General of UNESCO to

(1) *Suggest* to member states that they:

- a. *Survey and profile* those languages which are found to be endangered (bearing in mind the criteria in 3. above);
- b. *Actively promote* the recognition of endangered languages of their countries;
- c. *Encourage* the documentation of endangered languages;
- d. *Create* the conditions which facilitate the active use of and access to those languages, by, *inter alia*, assigning all relevant languages their rightful place in the educational system, media, and access to cyberspace, subject to the wishes of individual speech communities, respecting their commitments to linguistic human rights;
- e. *Foster* speech communities' pride in their own languages and cultures, as well as secure equal prestige for all languages of a state;

- f. *Explore* the economic and social benefits of linguistic and cultural diversity, as a stimulus for sustainable development;
 - g. *Also provide*, where feasible and with assistance from the international community, funding for documentation, revitalization, and strengthening programmes for endangered languages as specified in 2.a–c below;
- (2) *Establish* a financial and administrative mechanism
- a. to support projects which document endangered languages, notably:
 - i. recording, collecting and publishing new materials;
 - ii. safeguarding existing archives;
 - iii. updating the UNESCO *Atlas of the World's Languages in Danger of Disappearing*;
 - b. to initialize projects which strengthen and revitalize endangered languages, notably language training programmes which ensure intergenerational transmission;
 - c. to produce and disseminate
 - i. training manuals for community-based documentation, teaching, and curriculum development;
 - ii. creative work in endangered languages;
- (3) *Enhance* UNESCO's role as a centre for resources on language diversity and endangerment by
- a. *Increasing* public awareness of language endangerment in the world, through such means as the media, the arts and public events;
 - b. *Establishing* an international network
 - i. *linking* organizations and communities,
 - ii. *providing* information about and access to archives, research, teaching and training projects and materials, sources of funding, and reference materials, referring to best practices;
 - c. *Supporting* regional centres that design, implement, and evaluate locally-appropriate programmes and resources through
 - i. the building of local capacities for work on endangered languages;
 - ii. education, including teacher training and trans-generational learning;
 - iii. the facilitation of the exchange of information and experiences between different indigenous groups and organizations;
 - d. *Coordinating* among policy makers, experts and NGOs in order to explore the correlation between globalization and language extinction and look for systematic solutions on a global scale.

Concluding Document of the Stockholm Conference on Confidence- and Security- Building Measures and Certain Aspects of Security and Disarmament in Europe

The Concluding Document of the Stockholm Conference on Confidence- and Security-Building Measures and Certain Aspects of Security and Disarmament in Europe was adopted by the Organization for Security and Co-operation in Europe on 19 September 1986.

Co-operation in the Field of Economics, of Science and Technology and of the Environment

Aiming at ensuring effective equality of opportunity between the children of migrant workers and the children of their own nationals regarding access to all forms and levels of education, the participating states affirm their readiness to take measures needed for the better use and improvement of educational opportunities. Furthermore, they will encourage or facilitate, where reasonable demands exist, supplementary teaching in their mother tongue for the children of migrant workers.

Co-operation in Humanitarian and other Fields

[The participating states] will deal favourably with applications for travel abroad without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property,

birth, age or other status. They will ensure that any refusal does not affect applications submitted by other persons.

They will ensure in practice that persons belonging to national minorities or regional cultures on their territories can disseminate, have access to, and exchange information in their mother tongue.

They will renew their efforts to give effect to the provisions of the Final Act and the Madrid Concluding Document relating to less widely spoken languages. They will also encourage initiatives aimed at increasing the number of translations of literature from and into these languages and improving their quality, in particular by the holding of workshops involving translators, authors and publishers, by the publication of dictionaries and, where appropriate, by the exchange of translators through scholarships.

They will ensure that persons belonging to national minorities or regional cultures on their territories can maintain and develop their own culture in all its aspects, including language, literature and religion; and that they can preserve their cultural and historical monuments and objects.

They will ensure access by all to the various types and levels of education without discrimination as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

They will ensure that persons belonging to national minorities or regional cultures on their territories can give and receive instruction on their own culture, including instruction through parental transmission of language, religion and cultural identity to their children.

Note: The full text version of the Concluding Document can be found on the Internet site of the Organization for Security and Co-operation in Europe.

Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference for Security and Co-operation in Europe

The Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Co-operation in Europe was adopted on 29 June 1990. The Document emphasizes the respect of national minority rights as inherent to the promotion of democracy.

Article 31.

Persons belonging to national minorities have the rights to exercise fully and effectively their human rights and fundamental freedoms without any discrimination and in full equality before the law.

The participating States will adopt, where necessary, special measures for the purpose of ensuring to persons belonging to national minorities full equality with the other citizens in the exercise and enjoyment of human rights and fundamental freedoms.

Article 32.

To belong to a national minority is a matter of a person's individual choice and no disadvantage may arise from the exercise of such choice.

Persons belonging to national minorities have the right freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity and to maintain and develop their culture in all its aspects, free of any attempts at assimilation against their will. In particular, they have the right

- (1) to use freely their mother tongue in private as well as in public;

(2) to establish and maintain their own educational, cultural and religious institutions, organizations or associations, which can seek voluntary financial and other contributions as well as public assistance, in conformity with national legislation;

(3) to profess and practise their religion, including the acquisition, possession and use of religious materials, and to conduct religious educational activities in their mother tongue;

(4) to establish and maintain unimpeded contacts among themselves within their country as well as contacts across frontiers with citizens of other States with whom they share a common ethnic or national origin, cultural heritage or religious beliefs;

(5) to disseminate, have access to and exchange information in their mother tongue;

(6) to establish and maintain organizations or associations within their country and to participate in non-governmental organizations.

Persons belonging to national minorities can exercise and enjoy their rights individually as well as in community with other members of their group. No disadvantage may arise for a person belonging to a national minority on account of the exercise of non-exercise of any such rights.

Article 33.

The participating States will protect the ethnic, cultural, linguistic and religious identity of national minorities on their territory and create conditions for the promotion of that identity. They will take the necessary measures to that effect after due consultations, including contacts with organizations or associations of such minorities, in accordance with the decision-making procedures of each State.

Any such measures will be in conformity with the principles of equality and non-discrimination with respect to the other citizens of the participating State concerned.

Article 34.

The participating States will endeavour to ensure that persons belonging to national minorities, notwithstanding the need to learn the official language or languages of the State concerned, have adequate opportunities for instruction of their mother tongue, as well as, wherever possible and necessary, for its use before public authorities, in conformity with applicable national legislation.

In the context of the teaching of history and culture in educational establishments, they will also take account of the history and culture of national minorities.

Article 35.

The participating States will respect the right of persons belonging to national minorities to effective participation in public affairs, including in the affairs relating to the protection and promotion of the identity of such minorities.

The participating States note the efforts undertaken to protect and create conditions for the promotion of the ethnic, cultural, linguistic and religious identity of certain national minorities by establishing, as one of the possible means to achieve these aims, appropriate local or autonomous administrations corresponding to the specific historical and territorial circumstances of such minorities and in accordance with the policies of the State concerned.

Note: The full text of the Document is available on the Internet site of the OSCE.

Document of the Moscow Meeting of the Conference on the Human Dimension of the Conference for Security and Co-operation in Europe

The Document of the Moscow Meeting of the Conference on the Human Dimension was adopted by the Organization for Security and Co-operation in Europe on 3 October 1991.

(23.1) The participating states will ensure that...

- ii. anyone who is arrested will be informed promptly in a language which he understands of the reason for his arrest, and will be informed of any charges against him;

(28.7) The participating states will endeavour to refrain from making derogations from those obligations from which, according to international conventions to which they are parties, derogation is possible under a state of public emergency. Measures derogating from such obligations must be taken in strict conformity with the procedural requirements laid down in those instruments. Such measures will neither go further nor remain in force longer than strictly required by the exigencies of the situation; they are by nature exceptional and should be interpreted and applied with restraint. Such measures will not discriminate solely on the grounds of race, colour, sex, language, religion, social origin or of belonging to a minority.

(38) The participating states recognise the need to ensure that the rights of migrant workers and their families lawfully residing in the participating states are respected and underline their right to express freely their ethnic, cultural, religious and linguistic characteristics. The exercise of such rights may be subject to such restrictions as are prescribed by law and are consistent with international standards.

(38.4) (38.4) They recommend that the CSCE in its future work on the human dimension consider appropriate means to hold focused discussions on all issues regarding migrant workers, including *inter alia*, familiarisation with the language and social life of the country concerned.

Note: The full text version of the Document of the Moscow Meeting can be found on the Internet site of the Organization for Security and Co-operation in Europe.

Helsinki Summit Decisions

The Helsinki Summit Decisions were approved by Heads of State or Government of the Organization for Security and Co-operation in Europe on 10 July 1992.

The participating states...

(25) Will continue through unilateral, bilateral and multilateral efforts to explore further avenues for more effective implementation of their relevant CSCE commitments, including those related to the protection and the creation of conditions for the promotion of the ethnic, cultural, linguistic and religious identity of national minorities;

(37) Will encourage the creation of conditions to foster greater harmony in relations between migrant workers and the rest of the society of the participating state in which they lawfully reside. To this end, they will seek to offer, inter alia, measures to facilitate the familiarisation of migrant workers and their families with the languages and social life of the respective participating state in which they lawfully reside so as to enable them to participate in the life of the society of the host country;

Note: The full text version of the Helsinki Summit Decisions can be found on the Internet site of the Organization for Security and Co-operation in Europe.

Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights

The Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights was signed by member states of the Organization of American States in San José, Costa Rica, on 17 November 1988.

Article 3.

The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, color, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

Source: O.A.S. Treaty Series No. 69 (1988), Basic Documents Pertaining to Human Rights in the Inter-American System, OEA/Ser.L.V/II.82 doc.6 rev.1 at 67 (1992). The full text version of the Additional Protocol can be found in English at the Internet site of the Organization of American States.

Concluding Document of the Conference for Security and Co-operation in Europe Follow-Up Meeting, Vienna

The Concluding Document of the Vienna Meeting of the OSCE was adopted by the Organization for Security and Co-operation in Europe on 15 January 1989 and contains a number of provisions relating to language and equality and the rights of linguistic minorities.

(11) [The participating states] confirm that they will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion. They also confirm the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and security necessary to ensure the development of friendly relations and co-operation among themselves, as among all states.

(13) In this context [the participating states] will...

13.7 - ensure human rights and fundamental freedoms to everyone within their territory and subject to their jurisdiction, 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;

(16) In order to ensure the freedom of the individual to profess and practice religion or belief, the participating states will, inter alia, ...

16.6 - respect the right of everyone to give and receive religious education in the language of his choice, whether individually or in association with others;...

16.9 - respect the right of individual believers and communities of believers to acquire, possess, and use sacred books, religious publications in the language of their choice and other articles and materials related to the practise of religion or belief;

(18) They will protect and create conditions for the promotion of the ethnic, cultural, linguistic and religious identity of national minorities on their territory. They will respect the free exercise of rights by persons belonging to such minorities and ensure their full equality with others.

Note: The full text version of the Concluding Document of the Vienna Meeting can be found on the Internet site of the Organization for Security and Co-operation in Europe.

Linguistic Society of America Statement on Language Rights

(Posting on behalf of the LSA Committee on Social and Political Concerns)

The attached statement was prepared by Peter Tiersma (ptiersma@lmulaw.lmu.edu) of the Loyola Law School (LA) in consultation with other members of the LSA Committee on Social and Political Concerns.

It has been subsequently endorsed by the LSA Executive Committee and will be submitted for the approval of the membership at the business meeting in San Diego in January. In the meantime, given the urgency of these issues – hearings on several English-only bills are currently under way – copies have been circulated via the office of Rep. Serrano to the other members of Congress and by the Joint National Committee on Languages to its 60+ member organizations (among them TESOL, NABE, and the MLA). It is hoped that some of these organizations will adopt this or a similar statement.

LINGUISTIC SOCIETY OF AMERICA STATEMENT ON LANGUAGE RIGHTS

The Linguistic Society of America was founded in 1924 to advance the scientific study of language. The Society's present membership of approximately 7000 persons and institutions includes a great proportion of the leading experts on language in the United States, as well as many from abroad.

Many of the Society's members have experience with, or expertise in, bilingualism and multilingualism. Despite increasing interest in these topics, public debate is all too often based on misconceptions about language. In

this Statement, the Society addresses some of these misconceptions and urges the protection of basic linguistic rights.

(1) The vast majority of the world's nations are at least bilingual, and most are multilingual, even if one ignores the impact of modern migrations. Countries in which all residents natively speak the same language are a small exception, certainly not the rule. Even nations like France, Germany and the United Kingdom have important linguistic minorities within their borders. Furthermore, where diverse linguistic communities exist in one country, they have generally managed to coexist peacefully. Switzerland and Finland are only two of many examples. Where linguistic discord does arise, as in Quebec, Belgium, or Sri Lanka, it is generally the result of majority attempts to disadvantage or suppress a minority linguistic community, or it reflects underlying racial or religious conflicts. Studies have shown that multilingualism by itself is rarely an important cause of civil discord.

(2) The territory that now constitutes the United States was home to hundreds of languages before the advent of European settlers. These indigenous languages belonged to several major language families. Each native language is or was a fully developed system of communication with rich structures and expressive power. Many past and present members of the Society have devoted their professional lives to documenting and analyzing the native languages of the United States.

(3) Unfortunately, most of the indigenous languages of the United States have become extinct or are severely threatened. All too often their eradication was deliberate government policy. In other cases, these languages suffered from simple neglect. The decline of America's indigenous languages has been closely linked to the loss of much of the culture of its speakers.

(4) Because of this history, the Society believes that the government and people of the United States have a special obligation to enable our indigenous peoples to retain their languages and cultures. The Society strongly supports the federal recognition of this obligation, as expressed in the Native American Languages Act. The Society urges federal, state and local governments to affirmatively implement the policies of the Act by enacting legislation, appropriating sufficient funds, and monitoring the progress made under the Act.

(5) The United States is also home to numerous immigrant languages other than English. The arrival of some of these languages, such as Dutch, French, German, and Spanish, predates the founding of our nation. Many others have arrived more recently. The substantial number of residents of the United States who speak languages other than English presents us with both challenges and opportunities.

(6) The challenges of multilingualism are well known: incorporating linguistic minorities into our economic life, teaching them English so they can participate more fully in our society, and properly educating their children. Unfortunately, in the process of incorporating immigrants and their offspring into American life, bilingualism is often wrongly regarded as a “handicap” or “language barrier.” Of course, inability to speak English often functions as a language barrier in the United States. But to be bilingual—to speak both English and another language—should be encouraged, not stigmatized. There is no convincing evidence that bilingualism by itself impedes cognitive or educational development. On the contrary, there is evidence that it may actually enhance certain types of intelligence.

(7) Multilingualism also presents our nation with many benefits and opportunities. For example, bilingual individuals can use their language skills to promote our business interests abroad. Their linguistic competence strengthens our foreign diplomatic missions and national defense. And they can better teach the rest of us to speak other languages.

(8) Moreover, people who speak a language in addition to English provide a role model for other Americans. Our national record on learning other languages is notoriously bad. A knowledge of foreign languages is necessary not just for immediate practical purposes, but also because it gives people the sense of international community that America requires if it is to compete successfully in a global economy.

(9) To remedy our past policies towards the languages of Native Americans and to encourage acquisition or retention of languages other than English by all Americans, the Linguistic Society of America urges our nation to protect and promote the linguistic rights of its people. At a minimum, all residents of the United States should be guaranteed the following linguistic rights:

- a. To be allowed to express themselves, publicly or privately, in the language of their choice.
- b. To maintain their native language and, should they so desire, to pass it on to their children.
- c. When their facilities in English are inadequate, to be provided a qualified interpreter in any proceeding in which the government endeavors to deprive them of life, liberty or property. Moreover, where there is substantial linguistic minority in a community, interpretation ought to be provided by courts and other state agencies in any matter that significantly affects the public.
- d. To have their children educated in a manner that affirmatively addresses their linguistic deficiencies in English. Children can only learn when they understand their teachers. As a consequence, some use of their native language is often desirable to educate them successfully.

- e. To conduct business and to communicate with the public in the language of their choice.
- f. To use their preferred language for private conversations in the workplace.
- g. To learn to speak, read and write English, so that they can fully participate in the educational and economic life of this nation. All levels of government should adequately fund programs to teach English to any resident who desires to learn it.

(10) Notwithstanding the multilingual history of the United States, the role of English as our common language has never seriously been questioned. Research has shown that newcomers to America continue to learn English at rates comparable to previous generations of immigrants. Our government has a legitimate interest in ensuring that this trend continues by promoting the widespread knowledge of English. Nonetheless, promoting our common language need not, and should not, come at the cost of violating the rights of linguistic minorities.

American Anthropological Association Statement on Language Rights

(adopted January 1996)

WHEREAS there are currently before the United States Congress bills that would restrict the rights of people to use their native languages; and

WHEREAS similar bills at the state level have already been found unconstitutional by federal courts; and

WHEREAS the American Anthropological Association supports human rights, among which we include language rights;

NOW THEREFORE the American Anthropological Association supports the rights of all people to use and to develop their cultural and linguistic resources as they see fit;

AND FURTHER, urges Congress to pass legislation that will provide opportunities, not only for the mastery of English, but for the development of other languages spoken in our communities, and will respect linguistic rights among fundamental human rights, and will recognize that the development of our diverse cultural and linguistic resources enriches our national heritage and the lives of our citizens.

Conference on College Composition and Communication (CCCC) National Language Policy

March 1998

Be it resolved that CCCC members promote the National Language Policy adopted at the Executive Committee meeting on March 16, 1988. This policy has three inseparable parts:

(1) To provide resources to enable native and nonnative speakers to achieve oral and literate competence in English, the language of wider communication.

(2) To support programs that assert the legitimacy of native languages and dialects and ensure that proficiency in one's mother tongue will not be lost.

(3) To foster the teaching of languages other than English so that native speakers of English can rediscover the language of their heritage or learn a second language.

Passed unanimously by both the Executive Committee and the membership at the CCCC Annual Meeting in March 1988, the National Language Policy is now the official policy of the CCCC.

What Raised the Need for the Language Policy?

The English Only movement, which began in 1981 when Senator S. I. Hayakawa sponsored a constitutional amendment to make English the official language of the United States. Variations on his proposal have been before Congress ever since; there were five proposals in 1988 and three in 1990. The Language of Government Act has been pending before the House and Senate since 1991.

In 1983 an organization called “U.S. English” was founded by Senator Hayakawa and Dr. John Tanton, an ophthalmologist. That organization promotes English Only legislation, both in Congress and state legislatures. By June 1992, sixteen states had declared English the official language.

Some states, however, have taken stands against language protectionism. In 1989, New Mexico, Washington, and Oregon passed “English Plus” laws that protect the use of languages other than English and encourage the study of foreign languages. Both Hawaii and Louisiana have official policies aimed at preserving languages and cultures.

In February 1990, a federal district judge in Arizona ruled that the state’s constitutional amendment making English the official language violated the First Amendment’s protection of free speech.

What’s Wrong with English Only?

It’s unnecessary.

English, the global lingua franca and the language of wider communication in this country, is not threatened. For two centuries, most immigrants learned English within a generation without any laws compelling them. Current immigrants are doing the same.

It’s unrealistic.

Thousands of people are on waiting lists to enroll in English classes. Laws making English the official language do nothing to increase the number of such classes, nor do they teach a single person English.

It’s educationally unsound.

English Only opposes bilingual and similar programs that help students build on their linguistic skills. When students cannot use their strengths, they experience alienation and failure. Prohibiting or discouraging diversity limits rather than expands learning opportunities.

It’s unfair and dangerous.

When we pass laws that forbid health and safety information, street signs, court trials, and marriage ceremonies in languages people can understand, we deny them legal protection and social services.

It’s invasive.

English Only laws violate the privacy of speakers of other languages. When Filipino hospital employees are told they cannot speak Tagalog in the lounge, or when a college employee is told he must not speak Spanish during lunch break, they are denied free expression.

It's counterproductive.

As members of the global community, we need speakers of different languages. It's shortsighted, anti-immigrant, and racist to demean and destroy the competencies of bilingual people.

It's unconstitutional.

The First Amendment guarantees freedom of speech. The Fourteenth Amendment forbids abridging the privileges and immunities of naturalized citizens. English Only laws violate these constitutional rights.

Who Else Opposes English Only?

The English Plus Information Clearinghouse (EPIC) was born in the fall of 1987. Housed at the headquarters of the Joint National Council on Languages in Washington, D.C., EPIC serves as a national repository for information helpful to the increasing number of scholarly, ethnic, and civil liberty organizations that oppose English Only legislation. *EPIC Events*, a bimonthly newsletter, keeps subscribers informed. According to EPIC's Statement of Purpose, the English Plus concept "holds that the national interest can best be served when all persons of our society have access to effective opportunities to acquire strong English proficiency *plus* mastery of a second or multiple languages."

More than forty civic, religious, and professional organizations have passed resolutions opposing the English Only movement and supporting English Plus. Supporters include NCTE, NEA, TESOL, MLA, American Council of Teachers of Foreign Languages, the Center for Applied Linguistics, the American Psychological Association, the National Council for Black Studies, and the National Council of Churches of Christ. Both NCTE and NEA have published books that explain their positions on English Only legislation and that provide background material necessary to guard against language restrictionism (see Selected Titles). For more information, contact EPIC, 220 I Street, NE, Suite 220, Washington, DC 20002.

Support the National Language Policy: What You Can Do

Strive to include all citizens of all language communities in the positive development of our daily activities.

Provide education, social services, legal services, medical services, and protective signing for linguistic minorities in their own languages so that basic human rights are preserved.

Emphasize the importance of learning second and third languages by all Americans so that we can:

- participate more effectively in worldwide activities
- unify diverse American communities
- enlarge our view of what is human.

Recognize that those who do not speak English need time and encouragement to learn, but that their ability to prosper over the long term requires facility in the dominant American language.

Encourage immigrants to retain their first languages, to pass them on to their children, and to celebrate the life-supporting customs of their parents in the company of other Americans of differing backgrounds.

Selected Titles

Adams, Karen L., and Daniel T. Brink, eds. *Perspectives on Official English: The Campaign for English as the Official Language in the USA*. New York: Mouton de Gruyter, 1990.

Baron, Dennis E. *The English Only Question*. New Haven: Yale University Press, 1990.

Butler, Melvin A., chair, and the Committee on CCCC Language Statement. "Students' Right to Their Own Language." Special Issue of *College Composition and Communication* 25 (Fall 1974): 1-32.

Crawford, James, ed. *Language Loyalties: A Source Book on the Official English Controversy*. Chicago: The University of Chicago Press, 1992.

Daniels, Harvey A., ed. *Not Only English: Affirming America's Multicultural Heritage*. Urbana, IL: NCTE, 1990.

Official English/English Only: More than Meets the Eye. Prepared for the National Education Association by John Trasvina. Washington, DC: National Education Association, 1988.

Piatt, Bill. *Only English? Law and Language Policy in the United States*. Albuquerque: University of New Mexico Press, 1990.

Smitherman-Donaldson, Geneva. "Toward a National Public Policy on Language." *College English* 49.1 (1987): 29-36.

Australian Alliance for Languages: Statement of Needs and Priorities for Language Policy for Australia (2001)

The Alliance was created at a conference held from 20–21 July 2001 at Victoria University in Melbourne to discuss the role of community and indigenous languages within Australian society. It was decided to set up an Alliance of professional and community organisations and interested individuals with two aims:

(1) To lobby politicians in the framework of the 2001 Federal election campaign with a view to making language issues (including both indigenous and immigrant origin community languages) a central priority in federal language policy and planning.

(2) To work towards the development of comprehensive language policies at state and federal level based on the principles set out herein.

ACTIONS: Seek input from languages and literacy bodies in all areas of relevance. Make modifications or amendments as required by such bodies. Agree on a final list of policy demands and then undertake: pre-election lobbying: Public Launch, Media Promotion, Meetings with Federal candidates; public advertisements in local, national, English and non-English media, electronic and print media, with endorsements by major national organisations and key individuals. During 2002 elaborate the attached list of Long Term Policy Claims.

PREFACE

2001, the year of the Centenary of Australia's political federation, represents an excellent historical moment in which Australian cultural democracy can be reflected and supported by the public policy processes and institu-

tions of Australian life. In the August 1994 report of the Centenary of Federation Committee to the Council of Australian Governments the Committee described Australia's language policies as one of the significant achievements of Australian federation.

"In 1987 the federal Government adopted a National Policy on Languages, becoming the first English speaking country to have such a policy and the first in the world to have a multilingual languages policy". Australia is uniquely well placed among the nations of the world to set in place public policies for languages and literacies which are enlightened, progressive, socially just, economically wise as well as practical. During the 1990s the scope and range of the policies enunciated by Federal authorities have shrunk so that at present there is no overall set of principles that guide policy, resulting in fragmented provision, and contradictory tendencies between states and within the Federal sphere.

This is characterised by the following retreats and omissions of policy:

1) *During the 1990s, all federal governments have retreated from a commitment to issues of cultural and linguistic diversity, and have failed to recognise the benefit to Australian society and the centrality in all policies of social justice.*

2) *Government and policy rhetoric often deliberately omit a commitment to linguistic and cultural diversity to the detriment of Australian society with the consequence that there has been a failure to promote cultural and linguistic diversity as a means of fostering social cohesion*

3) *There has been a re-categorisation of linguistic and cultural diversity as being linked to disadvantage, rather than seeing it as resource for the entire Australian community.*

Australian identity is well served by a pluralistic and inclusive multicultural language policy based on the rights of all of Australia's language and cultural groups to develop their unique differences within the context of a united and harmonious nation. At a time of rapid and intense economic globalisation, the preservation of the diversity and skills of Australia's population will assist the nation in its efforts to cultivate its skills and knowledge assets to meet the challenges of a competitive trading environment.

The Alliance views language and literacy policy as central to the promotion of Australia's interests and much wider than education, encompassing the media, law and health-medicine, the arts, all levels of education, and public affairs. We urge that Australian public authorities make the concept of a tolerant, diverse yet united Australia a central part of the entire mode of governance so that political forces that seek to sow the seeds of division and conflict can be marginalised.

ACTION PROGRAM

The Alliance urges the parliamentary and organisational wings of all major political parties, at the state and federal level, to affirm a commitment to national and state policies on languages which are based on a positive regard for multilingualism and multiculturalism as enduring Australian values and which enshrine the right of all to enjoy, use and develop our unique languages and cultures, both locally and globally.

All language policies in Australia, at state or federal level, should be characterised by a wide set of aims and goals and specifically should aim to benefit Australia and the national interest in:

Enrichment: The cultural and intellectual life of the Australian population can be enriched by the universal learning of different languages and the cultures they express. All education and training efforts should have as a central aim humanising and culturally enriching goals, and all Australians should have continuous, serious and diverse opportunities to learn languages other than English.

Equality: Language and communication barriers that inhibit the full educational, social, and economic participation of Australians should be identified and removed. This requires attention to: English literacy for adults and children with literacy difficulties, literacies in languages other than English, Australian Sign Language education, communication systems for those with visual or other impairments, Interpreting and Translating services for immigrant, Indigenous and Deaf Australians and the Australian institutions and facilities that service them and opposition to all kinds of bias in language, especially discriminatory language of racism, sexism and other kinds of exclusion.

External: Australia has at its disposal a rich, multilingual resource which must not be wasted. Effective teaching and learning of languages and cultures can facilitate Australia's active engagement in trade and commercial relationships in all areas of our national strategic economic interests and diplomatic and geo-political activities. This is particularly important within the immediate context of Australia's participation in forums of the Asia Pacific Region but also in Australian relations with Europe and other parts of the world.

The principles on which national policies on languages are developed should give high priority to Australian community and Indigenous languages and specifically the principles of Federal language policy should:

(1) Affirm Australian English as the common Australian language and set in place programs that will provide access for all to high levels of literate standard Australian English.

(2) Affirm the right of all Australians to acquire, maintain and develop languages other than English through public education, and to enjoy and use these languages in every domain of Australian life.

(3) Take action to support those communities seeking to maintain or revive their indigenous languages.

(4) Make publicly available, widespread and equitable interpreting and translating and other language and information services for need groups (Indigenous Australians, immigrants of non-English speaking background, users of Auslan and other communication systems).

SPECIFIC REQUESTS TO MAKE IN THE 2001 ELECTORAL FRAMEWORK

(1) That the major parties commit themselves to a comprehensive approach to policies on languages, involving the complementary development of English and languages other than English, enabling the acquisition, maintenance and development of the full range of languages of economic, cultural and familial significance to Australia and Australians.

(2) That representative language policy advisory structures be established with participation from interested and expert groups covering the broad range of language issues in Australia, including guaranteed participation by Indigenous and ethnic community organizations.

(3) That research be funded in areas that support and inform national languages and literacy policy.

(4) That a national enquiry into the teaching of English as a Second Language to immigrant and Indigenous children be instituted with a view to ensuring that adequate and appropriate ESL is provided to all children who are engaging with the English delivered curriculum from a background knowledge of languages other than English.

(5) That adequate and appropriate ESL teaching for adult migrants be provided.

(6) That the funding made available under all existing Commonwealth language programs, including the National Asian Languages and Studies in Schools Strategy, be retained but developed further and made available through a comprehensive national languages funding mechanism to all languages.

(7) That a national training initiative for professional interpreting and translating be commissioned with the express aim of ensuring that profes-

sional language services can be instituted in all areas of need. This is to make special provision for Auslan and Indigenous languages as well as other community languages.

(8) That funding to Indigenous official bilingual education programs be maintained and extended in all states where children from Australian Indigenous language backgrounds would benefit by learning their community's language alongside English. Such a policy initiative needs to be shared by the Commonwealth and the various state and Territory education jurisdictions.

(9) That the government consider ways of increasing access to community languages in Australia by creating and funding public access television devoted to community language broadcasting. And that a national review be undertaken of the reach and adequacy of multi-lingual community radio services.

(10) That the deliberate cutting of Radio Australia's capacity to broadcast effectively to the world be reversed, and its multimedia potential be enhanced.

(11) That the right of children to the maintenance of their first/home language be affirmed and that all pre-school institutions and early childhood services be encouraged through targeted financial support to offer both ESL and first/home language initiatives. That all training for teachers and early childhood staff includes ESL, languages other than English and cross-cultural perspectives.

(12) That additional HECS funded places be made available for language teacher education for all levels of education.

(13) That a national policy for languages provision at higher education level be developed so that a wide range of languages can be maintained in a cooperative venture across and among institutions. Specific funding for languages of small enrolment is needed to ensure that continuous provision of a wide range of languages in the national interest is retained.

LONG TERM POLICY CLAIMS

FROM 2002 LANGUAGE POLICY AT THE COMMONWEALTH AND STATE LEVELS SHOULD BE DEVELOPED IN ALL OF THE AREAS REFERRED TO BELOW. IN THESE KEY AREAS A COORDINATED NATIONAL APPROACH WOULD BE BENEFICIAL. THESE POINTS REPRESENT A TENTATIVE INITIAL FRAMEWORK OF FIELDS IN WHICH POLICY DEVELOPMENT IS NEEDED.

COMPLEMENTARY DEVELOPMENT OF ENGLISH AND OTHER LANGUAGES WITH SPECIFIC MEASURES IN THE FOLLOWING AREAS OF NEED

ENGLISH

Australian English as our National Language
Research on Australian English
Australian English as a mother tongue
Varieties of English in Australia
Access to high levels of oracy and literacy in Australian English for all
Australians, including indigenous and immigrant Australians
Appropriate, accessible and sufficient provision of tuition to both child
and adult learners
Continuing efforts towards the development of language which is inclu-
sive and non-discriminatory

LANGUAGES OTHER THAN ENGLISH

Languages in the wider community.
The maintenance and development of a broad range of languages within
the Australian community, both for personal purposes and as a means of
accessing and engaging with others, including the wider Australian and
global communities.
Languages in education.
Continuing research into models of language teaching from pre-school to
tertiary level over a range of settings, including government and inde-
pendent providers, as well as full-time and part-time ethnic schools. Ad-
dressing the issue of 'background' speakers in language classrooms in
innovative and positive ways.

RELATED ACTION IN THE FOLLOWING AREAS:

LANGUAGE RESEARCH

LANGUAGES IN THE MEDIA

INTERPRETING AND TRANSLATING

Professional Training

SPECIAL NEEDS

Deaf and Hearing Impaired Persons
Visually Impaired Persons
Persons with other communication impairments

LANGUAGE SERVICES

Municipal Library Holdings in languages other than English

Australian Linguistic Society (ALS) Policies and Related Documents

Linguistic rights

At the 1984 Annual General Meeting of the Australian Linguistic Society a number of motions relating to the linguistic rights of Aboriginal and Torres Strait Islander communities were passed. Two of these motions were:

(1) That the ALS recognizes the linguistic rights of Aboriginal and Islander communities as set out in the statement made by the Aboriginal Languages Association, August 1984 (see copy of statement below). (The motion was passed unanimously)

(2) That members of the ALS are obliged to respect these rights in their dealings with Aboriginal and Islander people. (The motion was carried).

Linguistic rights of Aboriginal and Islander communities

(As published in *The Australian Linguistic Society Newsletter* no. 84/4, October 1984)

In any dealings between a community and linguists, the community has the following rights:

(1) To finalize clear and firm negotiations to the community's satisfaction before the linguistic fieldwork is undertaken

(2) To know and understand what their work involves, their obligations to the community and the restrictions they must observe using a paid local interpreter at all times if the community so requests

(3) To request a trial period before giving full permission for the research to continue

(4) To control research if the community wishes and also to request the linguist to consult with relevant community organizations where appropriate

- (5) To ask for their help in language matters, training and other ways
- (6) To receive regular summaries and results of the linguist's work written and presented in a way that the community can understand
- (7) To privacy and secrecy with respect to person's names, confidential information, secret/sacred material and publication
- (8) To approve the content of material before publication
- (9) To see its members adequately paid in cash or otherwise for their services, and properly acknowledged in publications
- (10) To negotiate for a share of royalties from any publications
- (11) To be advised and receive a copy of any subsequent publications related to the research.

Ethics

At the 1989 Annual General Meeting of the Australian Linguistic Society a statement of ethics was adopted.

Statement of ethics

(As published in *The Australian Linguistic Society Newsletter* no. 90/4, November 1990)

The Australian Linguistic Society, as the principal professional body concerned with the discipline of linguistics in Australia, declares that the following ethical principles apply to its members, and also to persons directly employed by members, in the conduct of linguistic research:

- a. Researchers in the field of linguistics have multiple and cross-cutting obligations to their discipline, to their colleagues, to bodies and individuals providing funds and facilities for research, to human communities and individuals who participate in any way in the research, and to themselves. These obligations are to be met by the researcher in accordance with the highest professional standards and consideration of the highest prevailing standards of human ethics, in broad conformity with the ethical provisions made by comparable professional bodies, associations of social sciences and humanities, and committees on medical research and experimentation on human subjects.
- b. In particular, the rights of lay persons and communities involved in the research require especial consideration, since such persons and communities may not have the same understandings about the nature and conduct of the research as the researcher. These rights include

protection of privacy, the right to withhold cooperation in the research, appropriate remuneration, and access to data collected by the researcher, and to the results of the research. These rights are especially important in small and threatened communities. It is recognised that particular communities may have strong views on the researcher's access to data and dissemination of information; such views should be respected, to the extent that they do not clash with other obligations of the researcher.

- c. Nothing in this statement of ethics shall override the conditions for research imposed by particular communities, official bodies, or governments; in agreeing to such conditions before undertaking research, the researcher is deemed to have entered into a contractual obligation.
- d. Persons deemed to be conducting research not in accordance with the spirit of this ethical statement may be subject to disciplinary action by the Australian Linguistic Society, according to principles that may from time to time be determined by the Society.

Guidelines for the Use of Language Analysis in Relation to Questions of National Origin in Refugee Cases

June 2004

Language and National Origin Group

[an international group of linguists whose names appear below]

Language analysis is used by a number of governments around the world as part of the process of determining whether asylum seekers' cases are genuine. Such analysis usually involves consideration of a recording of the asylum seeker's speech in order to judge their country of origin. Use of language analysis has been criticized on a number of grounds, and some uncertainty has arisen as to its validity. This paper responds to calls for qualified linguists to provide guidelines for use by governments and others in deciding whether and to what degree language analysis is reliable in particular cases.

We, the undersigned linguists, recognize that there is often a connection between the way that people speak and their national origin. We also recognize the difficulties faced by governments in deciding eligibility for refugee status of increasing numbers of asylum seekers who arrive without documents. The following guidelines are therefore intended to assist governments in assessing the general validity of language analysis in the determination of national origin, nationality or citizenship. We have attempted to avoid linguistic terminology. Where technical terms are required, they are explained (e.g. 'socialization' in Guideline 2, and 'code-switching' in Guideline 9c). The term 'language variety' which is used in several guidelines, refers generally to a language or a dialect.

GENERAL GUIDELINES

(1) LINGUISTS ADVISE, GOVERNMENTS MAKE NATIONALITY DETERMINATIONS

Linguistic advice can be sought to assist governments in making determinations about national origin, nationality or citizenship. Linguists should not be asked to make such determinations directly. Rather, they should be asked to provide evidence which can be considered along with other evidence in the case.

(2) SOCIALIZATION RATHER THAN ORIGIN

Language analysis can not be used reliably to *determine* national origin, nationality or citizenship. This is because national origin, nationality and citizenship are all political or bureaucratic characteristics, which have no necessary connection to language.

In some cases, language analysis CAN be used to draw reasonable conclusions about the country of socialization of the speaker. (This refers to the place(s) where the speaker has learned, implicitly and/or explicitly, how to be a member of a local society, or of local societies.) The way that people speak has a strong connection with how and where they were socialized: that is, the languages and dialects spoken in the communities in which people grow up and live have a great influence on how they speak.

It is true that the country of a person's socialization is often the country of their origin. Therefore linguistic conclusions about a speaker's country of socialization may, in conjunction with other (non-linguistic) evidence, be able to assist immigration officials in making a determination about national origin in some cases. However, linguistic expertise cannot directly determine national origin, nationality or citizenship, which are not inherently linked to language, in the way that socialization is.

(3) LANGUAGE ANALYSIS MUST BE DONE BY QUALIFIED LINGUISTS

Judgements about the relationship between language and regional identity should be made only by qualified linguists with recognized and up-to-date expertise, both in linguistics and in the language in question, including how this language differs from neighboring language varieties. This expertise can be evidenced by holding of higher degrees in linguistics, peer reviewed publications, and membership of professional associations. Expertise is also evident from reports, which should use professional linguistic analysis, such as IPA (International Phonetic Association) transcription and other standard technical tools and terms, and which should provide broad coverage of background issues, citation

of relevant academic publications, and appropriate caution with respect to conclusions reached.

(4) LINGUIST'S DEGREE OF CERTAINTY

Linguists should have the right and responsibility to qualify the certainty of their assessments, even about the country of socialization. It should be noted that it is rarely possible to be 100% certain of conclusions based on linguistic evidence alone (as opposed to fingerprint or DNA evidence), so linguistic evidence should always be used in conjunction with other (non-linguistic) evidence. Further, linguists should not be asked to, and should not be willing to, express their certainty in quantitative terms (e.g. '95% certain that person X was socialized in country Y'), but rather in qualitative terms, such as 'based on the linguistic evidence, it is possible, likely, highly likely, highly unlikely' that person X was socialized in country Y'. This is because this kind of language analysis does not lend itself to quantitative statistics such as are often found in some other kinds of scientific evidence.

(5) LANGUAGE ANALYSIS REQUIRES USEFUL AND RELIABLE DATA

Linguists should be allowed to decide what kind of data they need for their language analysis. If the linguist considers the data provided for analysis to be insufficiently useful or reliable, he or she should either request better data or state that a language analysis can not be carried out in this case. Some relevant examples include a recording of poor audio quality, a recording of insufficient duration, or an interview carried out with an interpreter who is not speaking the language of the interviewee.

To avoid such problems, it is preferable for linguists to collect the language sample(s) for analysis, or to advise on their collection.

(6) LINGUISTS SHOULD PROVIDE SPECIFIC EVIDENCE OF PROFESSIONAL TRAINING AND EXPERTISE, WITH THE RIGHT TO REQUIRE THAT THIS INFORMATION REMAIN CONFIDENTIAL

Linguists should provide specific evidence of their professional training and expertise, for example in a curriculum vitae, so that a court may have the opportunity to assess these matters. But linguists should have the right to require that this information is kept confidential, and not revealed to either the asylum seeker, or the country from which they are fleeing.

(7) THE EXPERTISE OF NATIVE SPEAKERS IS NOT THE SAME AS THE EXPERTISE OF LINGUISTS

There are a number of reasons why people without training and expertise in linguistic analysis should not be asked for such expertise, even

if they are native speakers of the language, with expertise in translation and interpreting. Just as a person may be a highly accomplished tennis player without being able to analyze the particular muscle and joint movements involved, so too, skill in speaking a language is not the same as the ability to analyze a language and compare it to neighboring language varieties.

MORE SPECIFIC GUIDELINES

(8) WHERE RELATED VARIETIES OF THE SPEAKER'S LANGUAGE ARE SPOKEN IN MORE THAN ONE COUNTRY

In many regions throughout the world, national borders are not the same as linguistic borders, and the same language, or closely related varieties of the same language, is/are spoken in more than one country (e.g. ethnic Armenians living in both Armenia and Azerbaijan speak what is known as 'Standard East-Armenian', and ethnic Hazaras living in both Afghanistan and Pakistan speak Hazargi Dari). In such situations, while linguistic analysis may often be able to determine the *region* in which the speaker's socialization took place, it can not be used to determine in which *nation* the speaker's socialization took place. In such situations, an analyst should

- a. be able to specify in advance whether there exist linguistic features which can reliably distinguish regional varieties, and what they are,
- b. be able to devise reliable procedures, similar to linguistic field methods, for eliciting these features from the speaker without distortion or bias,
- c. be prepared to conclude, in the event that such features do not exist or do not occur in the data, that in this case linguistic evidence simply cannot help answer the question of language socialization.

(9) LANGUAGE MIXING

It is unreasonable in many situations to expect a person to speak only one language variety in an interview or other recording, for the following reasons:

- a. Sociolinguistic research shows that multilingualism is the norm in many societies throughout the world.
- b. In many multilingual societies, it is common for two or more language varieties to be used on a daily basis within a single family. In such families, it is also common for the speech of individuals in one language variety to show some influences from other varieties spoken in the family.

- c. Many bilingual or multilingual speakers use more than one language variety in a single interaction: this use of 'code switching' or 'style shifting' is very complex, and often subconscious.
- d. Further, there is variation in all language varieties, that is, more than one way of saying the same thing.
- e. It can often be hard for linguists to determine the difference between variation within a single language variety, and code-switching between related varieties. For example, when analyzing the speech of a person from Sierra Leone, it may be very difficult to know for some particular utterances whether they are in Krio, the creole language, or Sierra Leonean English. It is also important to note that while linguists distinguish these as separate varieties, their speakers often do not.
- f. Another factor which complicates this issue is that language varieties are always in the process of change, and one of the most influential sources of change is the vocabulary and pronunciation of related language varieties.
- g. A further complicating factor is that interviews may be done several years after an asylum seeker has left their home country, and their language variety/varieties may have undergone change in the interim.
- h. While linguists are devoting a great deal of research to language mixing, they have been unable to determine the extent to which an individual can consciously control the choice of language variety or of variables.

(10) WHERE THE LANGUAGE OF THE INTERVIEW IS NOT THE SPEAKER'S FIRST LANGUAGE

In addition to the use of language to assess national origin, issues of professional concern to linguists also arise during the interview in relation to the assessment of the truthfulness of the applicant's story. We note that in some countries, such as Germany, an international lingua franca (e.g. English) is the language of asylum seeker interviews, used either for language analysis in the determination of national origin, and/or in the assessment of the applicant's truthfulness. These cases call for particular care.

An interviewee with limited proficiency in the language of the interview may – simply because of language difficulties – appear to be incoherent or inconsistent, thereby leading the interviewer to a mistaken conclusion concerning the truthfulness of the interviewee.

In many post-colonial countries there are a number of language varieties related to the former colonial language, such as English or Portu-

guese. These varieties may include pidgin and/or creole languages. There are frequently not clear-cut boundaries between these different varieties (see point 9 above). Asking a person to speak only English or only Krio (the creole language of Sierra Leone), for example, may well be a linguistically impossible demand.

(11) WHERE THE DIALECT OF THE INTERVIEWER OR INTERPRETER IS DIFFERENT FROM THE DIALECT OF THE INTERVIEWEE

In some situations interviewees who are speakers of a local dialect are interviewed by an interpreter speaking the standard dialect of the language. In such situations it is common for people to accommodate to the interviewer's way of speaking, whether consciously or subconsciously. This means that interviewees will attempt to speak the standard dialect, in which they may not necessarily have good proficiency. This accommodation, brought about by dialect or language difference, may make it difficult for interviewees to participate fully in the interview.

CONCLUSION

For all of the reasons outlined in these guidelines we advise that language analysis should be used with considerable caution in addressing questions of national origin, nationality or citizenship.

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Language Vitality and Endangerment

UNESCO Ad Hoc Expert Group on Endangered Languages

I. By Way of Introduction⁴

Recent History

UNESCO's active involvement in fostering the world's language diversity⁵ is very recent, but builds upon initiatives of the last two decades. In the 1980s, UNESCO began to highlight language diversity as a crucial element of the cultural diversity of the world. Under the leadership of the late Stephen Wurm, UNESCO's Intangible Cultural Heritage Section launched the programme of the Red Book of Languages in Danger of disappearing. At the time when UNESCO undertook a new project 'Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity' in 1997, language as such was not included. By September 2001, however, participants at the International Jury for the Proclamation of Masterpieces recommended that UNESCO establish an endangered language programme in addition to the Masterpieces Project. In the same year the 31st Session of the General Conference of UNESCO stressed the importance of linguistic diversity by adopting the Universal Declaration of Cultural Diversity and in its action plan.

At the second International Conference on Endangered Languages in 2001 (held in Kyoto, as part of the Endangered Languages of the Pacific Rim

⁴ The introductory pages of this text are from the pens of Arienne Dwyer, Matthias Brenzinger and Akir Y. Yamamoto.

⁵ Throughout this document, the term 'language' includes sign languages, and 'speech' or 'endangered language communities' also refer to sign language communities.

Project⁶) it became clear that UNESCO and endangered language advocates share the same goal: fostering language diversity. At the conference, Noriko Aikawa (the then Director of the International Centre for Human Sciences), Michael Krauss, Osahito Miyaoka, Osamu Sakiyama and Akira Yamamoto agreed that it was high time to initiate a call for coordination and cooperation of language advocates, linguists and their respective organizations.

UNESCO has begun a new phase to address the issue of language endangerment. A group of linguists and language advocates worked in collaboration with UNESCO from November 2001 and March 2003 to formulate ways of assessing language vitality and produced a set of guidelines that are given below.

One crucial point which is emphasized in this document was for all those involved to work hand in hand with the endangered language communities towards documentation, maintenance and revitalization of their languages. Any work in endangered language communities must be reciprocal and collaborative.

In March 2003 UNESCO organized, together with the Netherlands National Commission for UNESCO, an International Expert Meeting as part of the programme on 'Safeguarding of Endangered Languages.'⁷ The goal was to define and reinforce UNESCO's role in supporting the world's endangered languages; participants included members of endangered language communities, linguists and NGOs (non-governmental organizations). Specifically the meeting aimed to: (1) formulate a definition of language endangerment and establish criteria to assess language endangerment (which resulted in acceptance of the document 'Language Vitality and Endangerment'); (2) review the state of languages in various regions of the world; (3) define the role of UNESCO; and (4) propose to UNESCO's Director-General mechanisms and strategies to safeguard endangered languages and to maintain and promote linguistic and cultural diversity in the world.

Purpose of the Document

'Language Vitality and Endangerment' is designed to assist language communities, linguists, educators and administrators (including local and national governments and international organizations) in finding ways to enhance the vitality of threatened languages. The nine factors outlined in the

⁶ See below the article by Miyaoka on the Pacific Rim project.

⁷ cf. www.unesco.org/culture/heritage/intangible/meetings/paris_march2003.shtml#_ftn2

document should allow interested parties to identify imperative needs. In most cases, immediate attention is required in the following areas: language documentation; pedagogical materials; the training of local linguists; the training of language teachers; new policy initiatives; public awareness-raising; technical, logistical and financial support (from, for example, individual language specialists, NGOs, local governments and international institutions).

Current and Future Tasks

The world faces new challenges in keeping its languages alive and meaningful. It is time for the peoples of the world to pool their resources and to build on the strengths of their linguistic and cultural diversity. This entails sharing resources at all levels: individual language specialists; local speech community; NGOs; governmental and institutional organizations.

Language specialists can identify what is required and provide support for language communities to maintain and enhance their languages. When speech communities request support to reinforce their threatened languages, language specialists should make their skills available to these communities in terms of planning, implementation and evaluation. Both speech community and language specialists should be involved at all points in the language vitalization process, and national and international organizations should provide continuous support to these activities.

The 2003 UNESCO Expert Meeting was a milestone for endangered language advocacy in that it drew international attention to the problem of maintaining language diversity. UNESCO's Intangible Cultural Heritage Section is prepared to play a major role in information dissemination. The Director-General of UNESCO affirmed his commitment to the development of general initiatives for the Endangered Languages Programme for 2004 and 2005 by allocating start-up funds. In the near future, an advisory group with worldwide representation will be formed.

The impact of the UNESCO Endangered Language Programme is largely dependent on the active involvement of linguists and language advocates, that is, on long-term active involvement. Yet it is the community members, not outsiders, who do or do not maintain their languages: it is their choice as to whether and in what way their languages should be revitalized, maintained and strengthened. This document is accordingly intended to be useful to community members as well as to concerned linguists and representatives of organizations.

II. Language Diversity in Danger

'I dream in Chamicuro,
but I cannot tell my dreams to anyone,
because no one else speaks Chamicuro.
It's lonely being the last one.'

(*Natalia Sangama*,
a Chamicuro grandmother, 1999)

Language diversity is essential to the human heritage. Each and every language embodies the unique cultural wisdom of a people. The loss of any language is thus a loss for all humanity. Although approximately 6,000 languages still exist, many are under threat. There is an imperative need for language documentation, new policy initiatives and new materials to enhance the vitality of these languages. The cooperative efforts of language communities, language professionals, NGOs and governments will be indispensable in countering this threat. There is a pressing need to build support for language communities in their efforts to establish meaningful new roles for their endangered languages.

A language is endangered when it is on the path towards extinction. A language is in danger when its speakers cease to use it, use it in an increasingly reduced number of communicative domains, and cease to pass it on from one generation to the next. That is, there are no new speakers, either adults or children.

About 97 per cent of the world's population speak about 4 per cent of the world's languages; and conversely, about 96 per cent of the world's languages are spoken by about 3 per cent of the world's people (Bernard, 1996, p. 142). Most of the world's language heterogeneity, then, is under the stewardship of a very small number of people.

Even languages with many thousands of speakers are no longer being acquired by children; at least 50 per cent of the world's more than 6,000 languages are losing speakers. We estimate that about 90 per cent of the languages may be replaced by dominant languages by the end of the twenty-first century.

Language endangerment may be the result of external forces such as military, economic, religious, cultural or educational subjugation, or it may be caused by internal forces, such as a community's negative attitude towards its own language. Internal pressures often have their source in external ones, and both halt the intergenerational transmission of linguistic and cultural traditions. Many indigenous peoples, associating their disadvantaged social position with their culture, have come to believe that their lan-

guages are not worth retaining. They abandon their languages and cultures in hopes of overcoming discrimination, to secure a livelihood, and enhance social mobility, or to as-similate to the global marketplace.

The extinction of each language results in the irrecoverable loss of unique cul-tural, historical and ecological knowledge. Each language is a unique expression of the human experience of the world. Thus, the knowledge of any single language may be the key to answering fundamental questions of the future. Every time a language dies, we have less evidence for understanding patterns in the structure and function of human language, human prehistory and the maintenance of the world's diverse ecosystems. Above all, speakers of these languages may experience the loss of their language as a loss of their original ethnic and cultural identity (Bernard, 1992; Hale, 1998).

Actions to prevent language loss and to safeguard language diversity will only be successful when meaningful contemporary roles for minority languages can be established, for the requirements of modern life within the community as well as in national and international contexts. Meaningful contemporary roles include the use of these languages in everyday life, commerce, education, writing, the arts and/or the media. Economic and political support by both local communities and national governments are needed to establish such roles.

There is an urgent need in almost all countries for more reliable information on the situation of the minority languages as a basis for language support efforts at all levels.

Background

UNESCO's Constitution includes the maintenance and perpetuation of language diversity as a basic principle in order to:

contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for human rights and fundamental freedoms which are affirmed for the peoples of the world without distinction of race, sex, language, religion, by the Charter of the United Nations (UNESCO Constitution, Article 1).

As Noriko Aikawa (2001, p. 13) explains, 'based on this principle, UNESCO has developed programmes aimed at promoting languages as instruments of education and culture, and as significant means through which to participate in national life'.

Those programmes included The Red Book of Languages in Danger of Disappearing. The purpose of the project was:

- (1) to gather systematically information on endangered languages (including their status and the degree of urgency for undertaking research);
- (2) to strengthen research and the collection of materials relating to endangered languages for which little or no such activities have been undertaken to date, and which belong to a specific category such as language isolates, languages of special interest for typological and historical-comparative linguistics, and languages that are in imminent danger of extinction;
- (3) to undertake activities aimed at establishing a worldwide project committee and a network of regional centres as focal points for large areas on the basis of existing contacts; and
- (4) to encourage publication of materials and the results of studies on endangered languages.

One crucial goal, however, is missing from the Red Book project – that is, to work directly with the endangered language communities towards language maintenance, development, revitalization and perpetuation. Any research in endangered language communities must be reciprocal and collaborative. Reciprocity here entails researchers not only offering their services as a *quid pro quo* for what they receive from the speech community, but being more actively involved with the community in designing, implementing and evaluating their research projects.

As mentioned above, the UNESCO General Conference in October 2001 unanimously adopted the Universal Declaration on Cultural Diversity recognizing a relationship between biodiversity, cultural diversity and linguistic diversity. The associated action plan recommends that Member States, in conjunction with speaker communities, undertake steps to ensure:

- (1) sustaining the linguistic diversity of humanity and giving support to expression, creation and dissemination of the greatest possible number of languages;
- (2) encouraging linguistic diversity at all levels of education, wherever possible, and fostering the learning of several languages from the youngest age;
- (3) incorporating, where appropriate, traditional pedagogies into the education process with a view to preserving and making full use of culturally appropriate methods of communication and transmission of knowledge; and, where permitted by speaker communities, encouraging universal access to information in the public domain through the global network, including promoting linguistic diversity in cyberspace.

Supporting Endangered Languages

The Role of the Speech Community

In all parts of the world, members of ethnolinguistic minorities are increasingly abandoning their native language in favour of other languages, including in childrearing and non-formal education.

Among ethnolinguistic communities, a variety of opinions on the future prospects of their languages can be observed. Some speakers of endangered languages come to consider their own language backward and impractical. Such negative views are often directly related to the socio-economic pressure of a dominant speech community. Other speakers of endangered languages, however, attempt to directly counter these threats to their language, and commit themselves to language stabilization and revitalization activities. These communities may establish environments such as day care centres, schools, or at least classes in which their languages are exclusively spoken.

In the end, it is the speakers, not outsiders, who maintain or abandon languages. Still, if communities ask for support to reinforce their threatened languages, language specialists should make their skills available and work with these ethnolinguistic minorities.

External Specialists and Speech Communities

External language specialists, primarily linguists, educators and activists, see their first task as documentation. This includes the collection, annotation and analysis of data concerning endangered languages. The second task entails their active participation in educational programmes. Speakers increasingly demand control over the terms and conditions that govern research; furthermore, they claim rights to the outcomes and future uses of the research.

Increasing numbers of people in ethnolinguistic minorities also make demands on research: first, they demand control over the terms and conditions that govern research; second, they claim rights to the outcomes and future uses of the research. They want, for example, the right to informed consent and to veto power; they want to know how results will benefit them; and they want to be able to determine how research results will be disseminated. And, above all, they want an equal relationship with outside researchers and want to be actors in a process that is theirs, not someone else's.

What Can be Done?

Just as speech community members react differently to language endangerment, so do linguists, educators and activists to requests for assistance by

speech communities. Such requests relate mainly to five essential areas for sustaining endangered languages:

- (1) Basic linguistic and pedagogical training: providing language teachers with training in basic linguistics, language teaching methods and techniques, curriculum development, and teaching materials development.
- (2) Sustainable development in literacy and local documentation skills: training local language workers to develop orthographies if needed, and to read, write and analyse their own languages, and produce pedagogical materials. One of the effective strategies here is the establishment of local research centres, where speakers of endangered languages will be trained to study, document and archive their own language materials. Literacy is useful to the teaching and learning of such languages.
- (3) Supporting and developing national language policy: national language policies must support linguistic diversity, including endangered languages. More social scientists and humanists, and speakers of endangered languages themselves should be actively involved in the formulation of national language policies.
- (4) Supporting and developing educational policy: in the educational sector of UNESCO, a number of specialists were engaged in implementing increasingly popular mother-tongue education programmes. Since 1953, and especially in the past fifteen years, UNESCO has been instrumental in this development through its policy statements. So-called mother-tongue education, however, often does not refer to education in the ancestral languages of ethnolinguistic minorities (that is, endangered languages), but rather to the teaching of these languages as school subjects. The most common educational model for teaching ethnolinguistic minority children in schools still uses locally or nationally dominant languages as the medium of instruction. Teaching exclusively in these languages supports their spread, at the expense of endangered languages. For example, fewer than 10 per cent of the approximately 2,000 African languages are currently used in teaching, and none of these is an endangered language. We favour the inclusion of regional languages (often called 'mother tongues') in formal education, but not at the expense of ethnolinguistic minorities (The Hague Recommendations on the Educational Rights of National Minorities, 1996–97, Skutnabb-Kangas, 2000). A great deal of research shows that acquiring bilingual capability need in no way diminish competence in the official language.

- (5) Improving living conditions and respect for the human rights of speaker communities: language documenters, although not directly involved in economic and social development, can help governments identify overlooked populations. For example, national HIV/AIDS awareness or poverty-alleviation programmes often do not consider minority communities, especially if they are illiterate. Linguists and educators can be vital mediators by supporting the communities in formulating claims about their linguistic and other human rights. Conversely, materials such as those on health care, community development or language education produced for these marginalized communities require specialist input. Concepts and content need to be conveyed in a culturally meaningful way.

Linguistic Diversity and Ecodiversity

Among the 900 ecoregions of the world that WWF has mapped out, 238 (referred to as Global 200 Ecoregions) are found to be of the utmost importance for the maintenance of the world's ecological viability. Within these Global 200 Ecoregions, we find a vast number of ethnolinguistic groups. These are peoples who have accumulated rich ecological knowledge in their long history of living in their environment.

Conservation biology needs to be paralleled by conservation linguistics. Researchers are exploring not just the parallels, but the links between the world's biodiversity and linguistic/cultural diversity, as well as the causes and consequences of diversity loss at all levels. This connection is significant in itself, because it suggests that the diversity of life is made up of diversity in nature, culture and language. This has been called 'biocultural diversity' by Luisa Maffi; and Michael Krauss has introduced the term 'logosphere' to described the web linking the world's languages (analogous to 'biosphere', the web linking the world's ecosystems; Maffi, Krauss and Yamamoto, 2001, p. 74).

Salvage Documentation

A language that can no longer be maintained, perpetuated or revitalized still merits the most complete documentation possible. This is because each language embodies unique cultural and ecological knowledge. Documentation of such a language is important for several reasons: 1) it enriches the intellectual capital; 2) it presents a cultural perspective that may be new to our current knowledge; and 3) the process of documentation often helps the language resource person to reactivate the linguistic and cultural knowledge.

Assessing Language Endangerment and Urgency for Documentation

A Caveat

Language communities are complex and diverse; even assessing the number of speakers of a language is difficult. We identify six factors to evaluate a language's vitality and state of endangerment, two further factors to assess language attitudes, and one additional factor to evaluate the urgency of documentation. Taken together, these nine factors are useful for characterizing a language's overall sociolinguistic situation. No single factor alone can be used to assess a language's vitality or its need for documentation.

Language Vitality Assessment: Major Evaluative Factors

There are six major evaluative factors of language vitality, none of which should be used alone. A language that is ranked highly according to one criterion may deserve immediate and urgent attention on account of other factors. The six factors identified here are: (1) Intergenerational Language Transmission; (2) Absolute Number of Speakers; (3) Proportion of Speakers within the Total Population; (4) Shifts in Domains of Language Use; (5) Response to New Domains and Media, and (6) Materials for Language Education and Literacy.

Factor 1: Intergenerational Language Transmission

The most commonly used factor in evaluating the vitality of a language is whether or not it is being transmitted from one generation to the next (Fishman, 1991). Endangerment can be ranked on a continuum from stability to extinction. Even 'safe', however, does not guarantee language vitality, because at any time speakers may cease to pass on their language to the next generation. Six degrees of endangerment may be distinguished with regard to intergenerational language transmission:

Safe (5): The language is spoken by all generations. The intergenerational transmission of the language is uninterrupted.

Stable yet threatened (5-): The language is spoken in most contexts by all generations with unbroken intergenerational transmission, yet multilingualism in the native language and one or more dominant language(s) has usurped certain important communication contexts. Note that such multilingualism alone is not necessarily a threat to languages.

Unsafe (4): Most, but not all, children or families of a particular community speak their parental language as their first language, but this may be restricted to specific social domains (such as the home where children interact with their parents and grandparents).

Definitely endangered (3): The language is no longer being learned as the mother tongue by children in the home. The youngest speakers are thus of the parental generation. At this stage, parents may still speak their language to their children, but their children do not typically respond in the language.

Severely endangered (2): The language is spoken only by grandparents and older generations; while the parent generation may still understand the language, they typically do not speak it to their children, or among themselves.

Critically endangered (1): The youngest speakers are in the great-grandparental generation, and the language is not used for everyday interactions. These older people often remember only part of the language but do not use it on a regular basis, since there are few people left to speak with.

Extinct (0): There is no one who can speak or remember the language.

Degree of Endangerment	Grade	Speaker Population
Safe	5	The language is used by all age groups, including children.
Unsafe	4	The language is used by some children in all domains; it is used by all children in limited domains.
Definitely endangered	3	The language is used mostly by the parental generation and upwards.
Severely endangered	2	The language is used mostly by the grand-parental generation and upwards.
Critically endangered	1	The language is known to very few speakers, of great-grandparental generation.
Extinct	0	There is no speaker left.

Factor 2. Absolute Number of Speakers

A small speech community is always at risk. A small population is much more vulnerable to decimation (by disease, warfare, or natural disaster, for example) than a larger one. A small language group may also easily merge with a neighbouring group, giving up its own language and culture.

Factor 3. Proportion of Speakers within the Total Population

The number of speakers of the ancestral language in relation to the total population of an ethno-linguistic group is a significant indicator of language vitality. The following scale can be used to appraise degrees of endangerment.

Degree of Endangerment	Grade	Proportion of Speakers within the Total Reference Population
Safe	5	All speak the language.
Unsafe	4	Nearly all speak the language.
Definitely endangered	3	A majority speak the language.
Severely endangered	2	A minority speak the language.
Critically endangered	1	Very few speak the language.
Extinct	0	None speak the language.

Factor 4. Shifts in Domains of Language Use

Where and with whom a language is used and the range of topics speakers can address by using the language has a direct effect on the transmission to the next generation. The following degrees of endangerment can be identified:

Universal use (5): The language of the ethnolinguistic group is actively used in all discourse domains for all purposes.

Multilingual parity (4): One or more dominant languages, rather than the language of the ethnolinguistic group, is/are the primary language(s) in most official domains: government, public offices, and educational institutions. The language in question, however, may well continue to be integral to a number of public domains, especially in traditional religious institutions or practices, local stores, and places where members of the community socialize. The coexistence of the dominant and non-dominant languages results in speakers using each language for different functions (diglossia), whereby the non-dominant language is used in informal and home contexts and the dominant language is used in official and public contexts. Speakers may consider the dominant language to be the language of social and economic opportunity. However, older members of the community may continue to use only their ancestral language. Note that multilingualism, common throughout the world, does not necessarily lead to language loss.

Dwindling domains (3): The non-dominant language loses ground and, at home, parents begin to use the dominant language in their everyday interactions with their children; children become 'semi-speakers' of their own language ('receptive bilinguals'). Parents and older members of the community tend to be productively bilingual in the dominant and the indigenous language: they understand and speak both. Bilingual children may be found in families where the indigenous language is actively used.

Limited or formal domains (2): The ancestral language may still be used at community centres, at festivals and at ceremonial occasions where older members of the community have a chance to meet. The limited domain may also include homes where grandparents and other older extended family members reside. Many people can understand the language but cannot speak it.

Highly limited domains (1): The ancestral language is used in very restricted domains on special occasions, usually by very few individuals: for example, by ritual leaders on ceremonial occasions. Some other individuals may remember at least some of the language ('rememberers').

Extinct (0): The language is not spoken at any place at any time.

Degree of Endangerment	Grade	Domains and Functions
Universal use	5	The language is used in all domains and for all functions.
Multilingual parity	4	Two or more languages may be used in most social domains and for most functions; the ancestral language usually is rare in the public domain.
Dwindling domains	3	The ancestral language is used in home domains and for many functions, but the dominant language begins to penetrate home domains.
Limited or formal domains	2	The language is used in limited social domains and for several functions.
Highly limited domains	1	The language is used only in very restricted domains and for a very few functions
Extinct	0	The language is not used in any domain at all.

Note that multilingualism is a fact of life in most areas of the world. Speakers do not have to be monolingual for their language to be vital. It is crucial that the indigenous language serve a meaningful function in culturally important domains.

Factor 5: Response to New Domains and Media

New areas for language use may emerge as community living conditions change. While some language communities do succeed in expanding their own language into the new domain, most do not. Schools, new work environments, new media, including broadcast media and the Internet, usually serve only to expand the scope and power of dominant languages at the expense of all other languages. Although no existing domains of the endangered language may be lost, the use of the dominant language in the new domain has mesmerizing power, as with television. If the traditional language of a community does not meet the challenges of modernity, it becomes increasingly irrelevant and stigmatized. Degrees of endangerment in this respect are given in the following chart.

Degree of Endangerment	Grade	New Domains and Media Accepted by the Endangered Language
Dynamic	5	The language is used in all new domains.
Robust/active	4	The language is used in most new domains.
Receptive	3	The language is used in many domains.
Coping	2	The language is used in some new domains.
Minimal	1	The language is used in only a few new domains.
Inactive	0	The language is not used in any new domains.

In education, assigning criteria can be based on two dimensions: up to what level, and how broadly across the curriculum, the endangered language is used. An endangered language which is the medium of instruction

for all courses and at all levels will rank much higher than an endangered language that is taught for only one hour per week. All new domains, be they in employment, education, or the media, must be considered together when assessing an endangered language community's response.

Factor 6: Materials for Language Education and Literacy

Education in the language is essential for language vitality. There are language communities that in spite of strong oral traditions do not wish their language to be written. In other communities, literacy is a source of pride. In general, however, literacy is directly linked with social and economic development. Books and materials are needed on all topics and for various age groups and language levels.

Grade	Accessibility of Written Materials
5	There is an established orthography and literacy tradition with fiction and non-fiction and everyday media. The language is used in administration and education.
4	Written materials exist and at school children are developing literacy in the language. The language is not used in written form in the administration.
3	Written materials exist and children may be exposed to the written form at school. Literacy is not promoted through print media.
2	Written materials exist but they may be useful only for some members of the community; for others, they may have a symbolic significance. Literacy education in the language is not a part of the school curriculum.
1	A practical orthography is known to the community and some material is being written.
0	No orthography is available to the community.

Language Attitudes and Policies

The maintenance, promotion or abandonment of non-dominant languages may be dictated by the dominant linguistic culture, be it regional or national. The linguistic policies of a state may inspire linguistic minorities to mobilize their populations towards the maintenance of their languages, or may force them to abandon them. These linguistic attitudes can be a powerful force both for promotion and loss of their languages.

Members of the dominant culture shape the ideological environment, often propagating a value system in which their own language is seen as a positive asset, and believed to be a unifying symbol for the region or state. When several larger linguistic communities compete for the same political or social space, they may each have their own conflicting linguistic attitudes. This leads to the general perception that a great variety of languages causes divisiveness and poses a threat to national unity. The fostering of a single dominant language is one attempt to deal with this real – or merely perceived – threat. In so doing, the governing body may legislate the use of

language. Accordingly, the policies may discourage or even prohibit the use of other languages. National policy, including the lack of overt policy, has in any case a direct impact on the language attitude of the community itself.

Language Attitude Assessment

The two factors for assessing language attitudes and policies concerning both dominant and non-dominant languages are: (7) Governmental and Institutional Language Attitudes and Policies, including Official Status and Use, and (8) Community Members' Attitudes towards Their Own Language.

Factor 7: Governmental and Institutional Language Attitudes and Policies, including Official Status and Use

A country may have an explicit policy for its great variety of languages. At one extreme, one language may be designated as the sole official language of the country, while all others are neglected. At the other extreme, all languages of a State may receive equal official status. Equal legal status, however, does not guarantee language maintenance or long-term vitality of a language. Official support of dominant and non-dominant languages may be ranked according to the following scale:

Equal support (5): All of a country's languages are valued as assets. All languages are protected by law, and the government encourages the maintenance of all languages by implementing explicit policies.

Differentiated support (4): Non-dominant languages are explicitly protected by the government, but there are clear differences in the contexts in which the dominant/official language(s) and non-dominant (protected) language(s) are used. The government encourages ethnolinguistic groups to maintain and use their languages, most often in private domains rather than in public domains. Some of the domains of non-dominant language use enjoy high prestige (for example, ceremonial occasions).

Passive assimilation (3): The central authorities are indifferent as to whether or not minority languages are spoken, as long as the dominant language is the language of interaction in public space. The dominant group's language is de facto the official language. The non-dominant languages do not enjoy high prestige.

Active assimilation (2): The government encourages minority groups to abandon their own languages by providing education for the minority group members in the dominant language only. Speaking and/or writing non-dominant languages is not encouraged.

Forced assimilation (1): The government has an explicit language policy supporting the dominant language while the non-dominant languages are neither recognized nor supported.

Prohibition (0): Minority languages are prohibited from use in any domain. Languages may be tolerated in private domains.

Degree of Support	Grade	Official Attitudes towards Language
Equal support	5	All languages are protected.
Differentiated support	- 4	Non-dominant languages are protected primarily as the language of the private domain. The use of the non-dominant language is prestigious.
Passive assimilation	3	No explicit policy exists for minority languages; the dominant language prevails in the public domain.
Active assimilation	- 2	Government encourages assimilation to the dominant language. There is no protection for minority languages.
Forced assimilation	1	The dominant language is the sole official language, while non-dominant languages are neither recognized nor protected.
Prohibition	0	Minority languages are prohibited.

Factor 8: Community Members' Attitudes towards Their Own Language

Members of a speech community are not usually neutral towards their own language. They may see it as essential to their community and identity and promote it; they may use it without promoting it; they may be ashamed of it and, therefore, not promote it; or they may see it as a nuisance and actively avoid using it.

When members' attitudes towards their language are very positive, the language may be seen as a key symbol of group identity. Just as people value family traditions, festivals and community events, members of the community may see their language as a cultural core value, vital to their community and ethnic identity. If members view their language as a hindrance to economic mobility and integration into mainstream society, they may develop negative attitudes towards it. Attitudes of community members towards their own language may be assessed on the following scale.

Grade	Community Members' Attitudes towards Language
5	All members value their language and wish to see it promoted.
4	Most members support language maintenance.
3	Many members support language maintenance; many others are indifferent or may even support language shift.
2	Some members support language maintenance; some are indifferent or may even support language shift.
1	Only a few members support language maintenance; many are indifferent or support language shift.
0	No one cares if the language is given up; all prefer to use a dominant language.

Language Attitudes and Policies: Interaction and Social Effects

Attitudes towards language, be they positive, indifferent, or negative, interact with governmental policy and societal pressures to result in increased or decreased language use in different domains.

In many cases, community members abandon their language because they believe they have no alternative, or because they do not have enough knowledge about the long-term consequences of the 'choices' they make. People in such a situation have often been presented with an either-or choice ('either you cling to your mother tongue and identity but don't get a job', or 'you leave your language and have better chances in life'). In fact, maintaining and using both languages will allow even better chances in life.

When languages have an unequal power relationship, members of the non-dominant group usually speak both their native language and the dominant language, whereas the speakers of the dominant group are often monolingual. Speakers may gradually come to use only the dominant language. On the other hand, the subordinate group may resist linguistic domination and mobilize its members to revitalize or fortify their language. Strategies for such linguistic activism must be tailored to the particular socio-linguistic situation, which generally is one of three types:

- Language Revival: reintroducing a language that has been in limited use for some time, such as Hebrew after the creation of the state of Israel, or Gaelic in Ireland;
- Language Fortification: increasing the presence of the non-dominant language to counterbalance a perceived threat of a dominant language, such as Welsh;
- Language Maintenance: supporting the stable use, in speaking and in writing (where orthographies exist), of the non-dominant language in a region or state with both multilingualism and a dominant language (*lingua franca*), such as Maori in New Zealand.

For language vitality, speakers ideally not only strongly value their language, but they also know in which social domains their language is to be supported. A positive attitude is critical for the long-term stability of a language.

Documentation Urgency Assessment

As a guide for assessing the urgency of documenting a language, the type and quality of existing language materials must be identified. This constitutes the final factor in the assessment of language endangerment.

Factor 9: Type and Quality of Documentation

Of central importance are written texts, including transcribed, translated and an-notated audiovisual recordings of natural speech. Such information

is important in helping members of the language community to formulate specific tasks, and enables linguists to design research projects in collaboration with members of the language community.

Nature of Documentation	Grade	Language Documentation
Superlative	5	There are comprehensive grammars and dictionaries, extensive texts and a constant flow of language materials. Abundant annotated high-quality audio and video recordings exist.
Good	4	There is at least one good grammar, a few dictionaries, texts, literature, and everyday media; adequate annotated high-quality audio and video recordings.
Fair	3	There may be an adequate grammar, some dictionaries, and texts, but no everyday media; audio and video recordings may exist in varying quality or degree of annotation.
Fragmentary	2	There are some grammatical sketches, wordlists, and texts useful for limited linguistic research but with inadequate coverage. Audio and video recordings may exist in varying quality, with or without any annotation.
Inadequate	1	Only a few grammatical sketches, short wordlists, and fragmentary texts exist. Audio and video recordings do not exist, are of unusable quality, or are completely unannotated.
Undocumented	0	No material exists.

Language Vitality Index: Evaluating the Significance of Factors

This section describes how the above nine factors may be used. Taken together, the scales are a useful instrument for assessing the state of a community's language and the type of support needed for its maintenance, revitalization, perpetuation, and documentation.

The vitality of languages varies widely depending on the different situations of speech communities. The needs for documentation also differ under varying conditions. Languages cannot be assessed simply by adding the numbers above; we therefore discourage the use of simple addition. Instead, the language vitality factors given above may be examined according to the purpose of the assessment.

The descriptions given above are offered as guidelines only. Each user should adapt these guidelines to the local context and to the specific purpose sought.

Example 1. Self-Assessment by a Speech Community

A speech community may examine these factors first to assess their language situation and to determine whether action is needed, and if so, what to do first. For this purpose, although all factors are important, the first six are especially useful. The community may find that the language is mostly being

spoken by grandparents and the older generation so their language could be characterized as “severely endangered” (Grade 2) with regard to Factor 1 “Intergenerational Language Transmission.” In addition, the community may find that the language is used mainly on ceremonial occasions and at community festivals. In terms of Factor 4 “Shifts in Domains of Language Use” then, the language use can be assessed at the level of “limited or formal domains” (Grade 2). On the other hand, the community may find that “most members of the community support language maintenance” (Grade 4, Factor 8 “Community Members’ Attitudes toward Their Own Language”). At this point, the community members may conclude that their language is in extreme danger of being lost in a short period of time if nothing is done about the situation. They have also found that the community people are very much interested in reversing language shift and have expressed their support for language revitalization efforts. Once the community considers the full range of factors and completes its self-assessment, it will have a well-founded basis on which to seek support from relevant agencies.

Example 2. External Evaluation

The guidelines could also be utilized as a policy tool by more or less official institutions concerned with language maintenance, revitalization, literacy development, or documentation.

When more than one language is being considered, each of the above factors may become an important point of comparison. The result of such comparison has a wide range of possibilities for fortifying language diversity in a particular region: it may be useful in ranking the severity of language endangerment for the purpose of support; in educating the public on the importance of language diversity; in formulating a language policy for the purpose of maintaining language diversity; in mobilizing language specialists to counter the language shift; or in alerting the national and international organizations of the diminishing human intellectual resources (see Appendix 1 for an example of comparison of languages in Venezuela).

Concluding Remarks

The world faces new challenges in maintaining linguistic diversity. It is time for the peoples of the world to pool their resources at all levels and build on the strengths of their linguistic and cultural diversity.

At the local community level and over the past several decades, for example, many people have been working to develop language education programs, usually with extremely limited technical resources. Unlike teachers of major languages of the world, they lack not only formal training in language

teaching, now often required by local governments, but also language curricula and, even more crucially, usable basic language descriptions. These language teachers require a variety of skills: pedagogical (e.g. curriculum and materials development, language teaching techniques and methods); sociolinguistic (e.g. analysis of ongoing language contact processes, of past and present ancestral language functions); and purely linguistic (e.g. data collection, analysis, and description).

Similarly, linguists, language activists, and policy makers have a long-term task to compile and disseminate the most effective and viable mechanisms for sustaining and revitalizing the world's endangered languages. Most importantly, they have the responsibility of working collaboratively with endangered language communities that enjoy an equal partnership in the projects.

We all share the responsibility of ensuring that no languages will disappear against the will of the community concerned and that as many languages as possible will be maintained and transmitted to the future generations. The reason why we must fortify the diversity of language is captured in the following way by a Navajo elder:

If you don't breathe,
 there is no air.
If you don't walk,
 there is no earth.
If you don't speak,
 there is no world.

(Paraphrased by Akira Yamamoto from a Navajo elder's words, PBS-TV Millennium Series, Tribal Wisdom and the Modern World, hosted by David Maybury-Lewis, aired on 24 May, 1992)

Appendix 1: An Example of Language Vitality Assessment from Venezuela (prepared by María E. Villalón)

In this document nine factors have been proposed to assess language vitality. These can be applied simultaneously to several languages in order to obtain a comparative picture of their relative strength, appraise their contrasting sociolinguistic situation, and to establish priorities for action. The following example illustrates the comparative application of the factors across three indigenous languages of Venezuela, a country that recognizes and protects its minority languages. Mapoyo is a Cariban language no longer spontaneously spoken, but remembered by a handful of elders in a multi-ethnic community all of whose members communicate in Spanish, which is also the first language learned by all the Mapoyo children. Kari'ña is a Cariban language as well, but has many more speakers, most of whom are bilingual. Some elders learned Kari'ña as their first language and can speak it fluently, al-

though nowadays Spanish is the preferred language of communication for most Kari'ña, numbering over 8,000. Sanima, related to Yanomami, has over two thousand speakers, yet very few of them are bilingual in the dominant Spanish language.

The “number of speakers” in the table below refers to the number of fully competent speakers. In the case of Kari'ña and Sanima the figures given are but estimates, for no recent reliable statistics are available. The Mapoyo figures are more precise, and based on relatively recent fieldwork⁸. They are placed in parentheses to indicate that they quantify “rememberers” rather than speakers. With regards to “Materials for Language Education and Literacy,” I have given Mapoyo a 1, because a practical orthography has been developed for the first time, and will be presented shortly to the community, along with audiovisual learning materials⁹. Finally, although Venezuelan Sanima is basically undocumented, unannotated recordings of varying quality exist, as well as a grammatical sketch of the closely related and better-documented Brazilian variety¹⁰. Thus, it may be ranked as a 1 on “Amount and Quality of Documentation.”

Estimated Degree of Endangerment and Urgency for Documentation: The Case of Three Venezuelan Indigenous Languages

Factors	Languages		
	Mapoyo	Kari'ña	Sanima
Intergenerational Language Transmission	0	2	5
Absolute Number of Speakers	(7)	650	2500
Proportion of Speakers within the Total Population	1	2	5
Shifts in Domains of Language Use	0	2	5
Response to New Domains and Media	0	1	–
Materials for Language Education and Literacy	1	3	0
Governmental & Institutional Language Attitudes and Policies including Official Status & Use	5	5	5
Community Members' Attitudes toward Their Own Language	2	3	5
Amount and Quality of Documentation	1	3	1

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⁸ Villalón, M. E.; T. Granadillo. Los marcadores de Persona de la Lengua Mapoyo. In: H. van der Voort and S. van de Kerke (eds.), *Indigenous Languages of Lowland South America*. CNWS Publications, 90, (ILLA) Vol. 1. Leiden, Leiden University, 2000, 197–211.

⁹ Villalón, M. E. Registro y Documentación de las Lenguas Indígenas Mapoyo y Kari'ña del Estado Bolívar. Parte I: Mapoyo. Caracas, Instituto del Patrimonio Cultural, 1999.

¹⁰ Borgman, D. M.; Sanuma. In: D. C. Derbyshire and G. K. Pullum (eds.), *Handbook of Amazonian Languages*, Vol. 2. New York, Mouton de Gruyter, 1990, 16–248.

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European Parliament. Committee on Cultural and Education: Report on a New Framework Strategy for Multilingualism

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION on a new framework strategy for multilingualism (2006/2083(INI))

The European Parliament,

- having regard to Article 192, second paragraph, of the EC Treaty,
- having regard to Articles 149, 151 and 308 of the EC Treaty,
- having regard to Articles 21 and 22 of the Charter of Fundamental Rights of the European Union,
- having regard to its resolution of 14 January 2003 on preserving and promoting cultural diversity: the role of the European regions and international organisations such as UNESCO and the Council of Europe¹¹ and the reference therein to linguistic diversity in Europe,
- having regard to Decision No 1934/200/EC of the European Parliament and of the Council of 17 July 2000 on the European Year of Languages 2001¹²,
- having regard to the Council Resolution of 14 February 2002 on the promotion of linguistic diversity and language learning in the framework of the implementation of the objectives of the European Year of Languages 2001¹³,

¹¹ OC 92 E, 16.4.2004, p. 322.

¹² OJ L 232, 14.9.2000, p. 1.

¹³ OJ C 50, 23.2.2002, p. 1.

- having regard to the European Charter for Regional or Minority Languages of the Council of Europe, which entered into force on 1 March 1998,
- having regard to the Council of Europe's Framework Convention for the Protection of National Minorities, which entered into force on 1 February 1998,
- having regard to its resolution of 4 September 2003 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 diversity¹⁴,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Culture and Education (A6-0372/2006),

A. whereas respect for linguistic and cultural diversity is a basic principle of the EU and is enshrined in the following terms in Article 22 of the Charter of Fundamental Rights of the European Union: 'The Union shall respect cultural, religious and linguistic diversity',

B. whereas multilingualism is a special feature of the EU that makes it a clear example as well as a basic component of the European culture,

C. whereas in its above-mentioned resolution of 14 January 2003, it called for the following new Article to be inserted in the EC Treaty: 'The Community shall, within its spheres of competence, respect and promote linguistic diversity in Europe, including regional or minority languages as an expression of that diversity, by encouraging cooperation between Member States and utilising other appropriate instruments in the furtherance of this objective',

D. whereas the promotion of multilingualism in a pluralistic Europe is an essential factor in cultural, economic and social integration, enhancing citizens' skills and facilitating their mobility,

E. whereas some European languages are also spoken in a great number of non-Member States and constitute an important link between peoples and nations of different regions in the world,

F. whereas there is a particular ability of some of the European languages to establish immediate direct communication with other parts of the world,

G. whereas linguistic diversity can be an element of social cohesion and a source of tolerance, acceptance of differences, identification and mutual understanding among peoples,

H. whereas multilingualism should also seek to promote respect for diversity and tolerance with a view to preventing the emergence of any active

¹⁴ OC C 76 E, 25.3.2004, p. 243.

or passive conflicts between different language communities in the Member States,

I. whereas all languages, as a pre-eminent means of access to a culture, are a distinct way of perceiving and describing reality and must therefore be able to enjoy the conditions required for their development,

J. whereas, in order to encourage the learning of other languages and thus to meet the objective of “mother tongue +2”, it is important to be aware of the principles of learning to speak and of formulating and acquiring basic concepts in early childhood which underpin mother tongue competence,

K. whereas regional and minority languages are a major cultural treasure and, given that they constitute a common cultural heritage, support for their preservation them should be improved,

L. whereas Parliament and the Committee of the Regions have addressed the question of the importance of less widely used languages on many occasions and there is at present no legal provision at EU level relating to European regional and lesser-used languages,

M. whereas particular attention should be given to promoting access to language acquisition for people in disadvantaged or difficult circumstances or those with disabilities,

Specific Comments on the Framework Strategy

1. Welcomes the Commission’s commitment, and particularly the new Framework Strategy, to foster the knowledge of languages and take cultural and socio-economic advantage of it;

2. Considers that, in order to achieve the objectives set by the Lisbon strategy, it is essential to improve the quality, effectiveness and accessibility of the education and training systems in the European Union by promoting foreign language learning;

3. Acknowledges the strategic importance of European World Languages as a communication vehicle and as a means of solidarity, cooperation, and economic investment and, therefore, as one of the main political guidelines of European policy on multilingualism;

4. Welcomes the Commission’s long-term objective to improve individual language skills, referring to the target set in 2002 in the Barcelona European Council whereby citizens should learn at least two foreign languages in addition to their mother tongue;

5. Reminds the EU Member States, to that end, that it is necessary to take appropriate measures to promote a genuine policy of learning foreign language skills ; furthermore, re-affirms that the early learning of languages is of considerable importance, and should be based on effective methods according to the best available techniques;

6. Considers that there is a lack of detailed and reliable data and appropriate indicators related to the current situation of foreign language competence in the Member States and therefore welcomes the proposal for a European Indicator of Language Competence; that indicator should include all official EU languages and could, if feasible from a procedural point of view, be extended beyond the five widely-spoken languages to include the other EU languages, in order to gain a true picture of language competence;

7. Believes that proposals for multilingualism should not be limited to the main official/ Member State languages;

8. Welcomes the Commission's commitment to give citizens access to EU legislation, procedures and information in their own languages; however this should include as many as possible of the languages of Member States used by EU citizens; in this way the Commission's statement to the effect that citizens have a right to access the EU in their own language without any barriers would become a reality; this would be an important step in closing the gap between the EU and many of its citizens, which is the main aim of Plan D for Democracy, Dialogue and Debate;

9. Considers that in accordance with the Communication from the Commission to the Council and the European Parliament concerning languages used for informing consumers in the Community (COM(1993)0456), the EU must respect the principle of subsidiarity in language policy, by which the EU, through the implementation of its own language regime or in the way of his sectoral law, shall not modify the language legislation existing in every Member State on all or part of its territory;

10. Calls on the Commission and the other European institutions to make the best possible use of new digital and technological translation tools on their Internet sites so as to enable European citizens to have access to, and obtain from the Internet, information about Europe in their own languages;

11. Considers that the widest opportunities should be provided for migrants to learn the language or languages of host countries, as defined by the legislation of those countries, with a view to their social and cultural integration in so far as this is necessary, using methods which have proved effective in language learning and for the integration of migrant citizens and to enable them to be taught in their mother tongue as a way of preserving their ties with their country of origin;

12. Welcomes the idea of encouraging Member States to establish National Plans, because it recognises the need for language planning at Member State level; this will act to enhance many of the less widely used languages and raise awareness of the importance of linguistic diversity; suggests that Member State Plans should include the lesser-used languages within each Member State and examine the possibility for interested adults

to learn these languages, and include these projects as examples of best practice;

13. Supports action for better teacher training, also for non-language and vocational teachers, and adds that the number of languages taught both within and outside school should be broadened to enable future teachers to learn, and subsequently teach, a greater diversity of languages under the same conditions, providing that there is an expression of interest in this direction; recalls, in this connection, that language training is essential to promote and facilitate mobility not only for students but also for all workers seeking to carry on an occupation in one of the Member States;

14. Urges that particular attention be given to promoting language learning for people in disadvantaged and difficult circumstances and for people with disabilities;

15. Welcomes the greater use of Content and Language Integrated Learning (CLIL), where pupils learn a subject through the medium of a foreign language, and calls on the Member States to form a network of best practices, in particular by analysing the results obtained from immersion courses in multilingual countries;

16. Welcomes the fact that higher education institutions play a more active role in promoting multilingualism not only amongst students and staff, but also amongst the wider local community, and therefore believes that linkages should be encouraged between universities and national, local and regional authorities;

17. Considers that the language used in Erasmus courses should be the official language of the host country's or region's educational system, and that it should be ensured that Erasmus students attain a level of proficiency in that language which enables them to properly follow courses provided in that language;

18. Welcomes the focus on research and technological development activities on languagerelated information technologies within the 7th Framework Research Programme in order to enhance multilingualism through new IT;

19. Supports the proposals for multilingualism in the information society and the creation and circulation of multilingual content and knowledge; there is an increasing array of technologies that will help a greater use of all languages, including those less widely used; technology offers the greatest potential for ensuring social linguistic space for all of Europe's languages;

20. Supports the proposals to develop language-related professions and industries; all European languages will need new technologies such as speech processing, voice recognition and so on, as well work on terminology, developing language teaching, certification and testing; otherwise

lesser-used languages will be left behind with their linguistic social space taken over by the more widely spoken languages – especially English;

21. Supports a European Standard for Translation Services and believes that there should be a proactive policy for developing translation services for less widely used languages;

22. Welcomes the proposal for greater transparency in language teaching, testing and certification by publishing an inventory of the systems currently available;

Proposed Measures

23. Calls on the European institutions and bodies to improve their communication with citizens in their own national language, regardless of whether the language in question has official status at Member State or EU level;

24. Calls for a clear, coherent EU language plan and EU language legislation; there is a need for an EU language act to give a legal base to language rights both collectively and individually; on the basis of such legislation an EU language plan could be drawn up to ensure linguistic diversity and language rights;

25. Encourages the Commission to continue implementing the proposals set out in the Ebner Report in so far as they are feasible, and to notify Parliament regularly of the results;

26. Calls on the Commission to facilitate and promote access to information and funding for applicant bodies seeking to promote multilingualism through networks and/or projects funded by the Commission from 2007 onwards;

27. Instructs its President to forward this resolution to the Commission, the Council and the Member States.

EXPLANATORY STATEMENT

Summary of the Communication

The Communication reaffirms the Commission's commitment to multilingualism and proposes specific actions. They note that the EU is founded on 'unity in diversity' and that besides the 21 'official' languages of the EU there are around 60 indigenous languages plus migrant languages. This diversity is considered a 'source of wealth' leading to 'greater solidarity' and 'mutual understanding'.

Referring to their definition of multilingualism which includes 'the co-existence of different language communities in one geographical area' they propose policies which seek to 'promote a climate that is conducive to the

full expression of all languages, in which the teaching and learning of a variety of languages can flourish.'

Referring to lesser-used languages, the Commission notes that it has been the main financial support for the European Bureau for Lesser-Used Languages (EBLUL) and the Mercator network. It notes the study conducted for an Agency for Language Learning and Linguistic Diversity, this had the full support of the EP, but the Commission has opted for a Network of Language Diversity Centres for which it will, somewhat unconvincingly, 'examine the possibility of financing on a multi-annual basis through the proposed Lifelong Learning programme'.¹⁵

Amongst the proposals they outline that 'national plans' will be needed to promote multilingualism and rather half-heartedly that 'the teaching of regional or minority languages should also be taken into account as appropriate'.

In addition, they list a number of welcome measures including the use of new technologies, a new EU Indicator of Language competence, a best practice study, research, and the greater usage of Content and Language Integrated Learning (CLIL).

Section III turns to the multilingual economy and how language skills make the EU more competitive and recognising that speaking your customer's language is good for business. The text appears to be aimed at 'official languages only'.

Section IV highlights multilingualism in the Commission's relations with citizens. Because the EU adopts legislation that is directly binding on its citizens, it is therefore pre-requisite for the Unions' legitimacy and transparency that citizens should be able to communicate with its institutions and read EU law in their own, what they term, 'national' language, and be able to take part in the European project 'without encountering any language barriers.' However, while commendable, this appears to only include 'official' languages. It is mistake when they say that all citizens have universal access to the EU project when stateless and regional languages, some of which have more speakers than member state languages, are in fact excluded. It is incredible that when the EU is seeking to get closer to its citizens it excludes to exclude 10%¹⁶ of them at the outset because of the lack of an inclusive language policy.

Otherwise the proposals outlined are welcome, but only if they include 'Regional' or Minority Language (RMLs).

¹⁵ However, Mr Figel's speech at the recent conference on RMLs in education suggested that this was now more likely to go ahead.

¹⁶ There are around 46 million RML speakers in Europe, making up some 10% of the EU population.

Considerations on real multilingualism

Linguistic diversity in Europe is now officially recognised (e.g. in the EU Charter of Fundamental Rights, the draft constitution) and supported (e.g. the 1993 Copenhagen criteria), but on the ground there are many languages losing speakers, a breakdown in intergenerational transmission, lack of language medium education and many speakers with no rights at all to use their language in any official capacity.

Furthermore, the failure of the EU Constitution, which contained several clauses ensuring support for Lesser-Used Language (LUL), has not been sufficiently recognised for its impact on the promotion of LUL languages and achieving rights for those languages. It is now time to reassess tactics without the draft constitution, a scenario which has left LUL without any proper legal base for campaigning or for funding. It means that NGOs such as EBLUL now has to focus on new ways to ensure meaningful linguistic diversity.

What is needed above and beyond existing international treaties such as the Council of Europe European Charter for Regional or Minority Languages and Council of Europe Framework Convention for the Protection of National Minorities, is binding legislation that enshrines the rights of LUL speakers, both individually and collectively, to conduct their lives in their language, the right to receive education in their language and the right to protection from hostile member states who's policies threaten LULs and act to assimilate the stateless nation and/or national minority.

Recent research illustrates that having a RML in a state is economically beneficial to that state. Based on the advantages of LUL / official language bilingualism, the research shows how bilingual people have greater cognitive abilities and give a population with enhanced skills. Investing in bilingualism and multilingualism is therefore a social capital investment.

The Communication, while well meaning and with several welcome innovative proposals, **remains ambiguous on the issue of non-official languages at best and at worst neglects the plight of several European languages that are endangered**. In addition, from the point of view of language planning and development it fails to make any clear progress on the matter of establishing meaningful linguistic diversity which, as a core EU value, is essential if the EU is aiming to achieve real multilingualism.

The actual rules to gain EU funding act to exclude smaller language groups, member state or otherwise. Following from the Action Plan, the Communication on Multilingualism signals a final clean break with any notion of ring-fenced funding for lesser-used language projects, a scenario that will effectively further marginalise lesser-used languages, especially those most endangered. The Commission's proposals signal a paradigm

shift away from earlier pre-2000 EU policy of direct support for lesser-used languages (with the B-line budget) to one where minoritised language communities have to compete on the 'open market' with the big languages. How they are meant to achieve this remains unclear. Larger languages have substantial organisations with large budgets, e.g. the British Council had 750 million euros in 2005 to promote English-far more than the budget for the Estonian, Swedish, Welsh or Scottish Gaelic.

There needs to be administrative simplification over grant applications proportionate to grant size, a proactive policy in favour of LULs in the allocation of funds and the return of ringfenced, direct funding (including pre-funding) without co-financing. In addition, with IT developments, all Less Widely Used Language (LWULs) miss out on funding because of the emphasis on the more widely spoken languages.

If 'language make us human' as Commissioner Figel states, LULs and their speakers need the status that goes with that statement. If the EU believes in the slogans Unity in Diversity and that all languages are equal then **there is a need for a coherent, meaningful EU language policy and legislation** enshrined language rights to ensure all European languages are protected and are given the social linguistic space in which to thrive. While there are language rules and regulations there is to date no coherent legally binding language policy for the EU either at the level of the institutions or in member states.

Human language rights provision is uneven across the EU. This anomaly is further enhanced in the way that the accession states have to satisfy minimal lesser used language rights and national minority criteria. Yet, there are 'old' member states who, if they were in the process of applying for the EU today, would completely fail to meet these criteria. It is an anomaly that is unfair to the new member states and unfair to RML communities plus it illustrates EU double standards.

For greater multilingualism is that there **are proactive policies in favour of Europe's less widely used languages** including Member State languages such as Estonian and Danish, as well as national languages such as Basque and Welsh.

It's not much use, as the Commission recognises that more people are multilingual but when their second or third language is English. This will lead to an even greater pre-dominance and reinforcement of the use of English as the EU's lingua franca. What it should be encouraging, for example, is where people are able learn languages from outside their language group such as Welsh speakers learning Polish. English language learning is its own dynamic, profitmaking industry, English mother tongue states, (e.g. UK-England, USA) already profit from this, it does not need further EU support.

In addition, **an endangered European language list needs to be established** so that the languages most in need can be identified and, with proactive policies, receive the most help.

There is a need for a EU Language Ombudsman to follow the Canadian Language Commissioner model. In Canada the Commissioner of Official Languages promotes and supports the objectives of the Canadian Official Languages Act; investigates complaints about language rights; audits federal government institutions to ensure their compliance with the Official Languages Act; ensures that language rights remain a primary concern of government leaders; and promotes the use of both official languages in the federal government and in Canadian society.¹⁷

Despite the Commission's dismissal of the **Agency on Linguistic Diversity and Language Learning**, it is worth insisting again in its creation, retitled as an **Agency for Multilingualism**. Part of its remit would include the setting up of **a network on centres specialised in research and promotion of linguistic diversity**.

All European languages should be made official in the EU. This would be part of an EU language plan and may be achieved by reducing the number of full working languages in the EU as is de facto already the situation. Simply having member state languages only is not acceptable. Official status for one's language sends out a clear message to all EU citizens that they are to be treated equally and can only act to better connect the EU with its citizens. Some 10% (46 million) of the EU's population, the EU's RML language speakers, are compelled to use their Member State language and not their mother-tongue when dealing with the EU.

The Communication stipulates that citizens should be able to communicate to the EU 'in their own national language' and take part in the EU project 'without encountering any language barriers', yet it immediately contradicts itself by restricting these languages to official¹⁸ member state languages only. It excludes some 10% of the EU population at a stroke. Welsh is the national language of Wales, Basque the language of the Basque nation, but they cannot be used. To achieve democratic legitimacy and transparency the EU must be accessible to its all of its citizens in all European languages. This statement raises huge questions about what exactly the Commission define as 'multilingualism', are they talking only of official languages? If so, this definition is unacceptable.

¹⁷ See http://www.ocol-clo.gc.ca/rights_droits.asp?Lang=English,
<http://canadaonline.about.com/cs/bilingualism/g/commol.htm>

¹⁸ Languages to be used in the EU are currently determined by rule No. 1 of the 1958 EEC Treaty.

Ustawa o języku polskim

**z dnia 7 października 1999r.
(Dz. U. z dnia 8 listopada 1999 r.)**

Parlament Rzeczypospolitej Polskiej:

- zważywszy, że język polski stanowi podstawowy element narodowej tożsamości i jest dobrem narodowej kultury,
- zważywszy na doświadczenie historii, kiedy walka zaborców i okupantów z językiem polskim była narzędziem wynaradawiania,
- uznając konieczność ochrony tożsamości narodowej w procesie globalizacji,
- uznając, że polska kultura stanowi wkład w budowę wspólnej, różnorodnej kulturowo Europy, a zachowanie tej kultury i jej rozwój jest możliwy tylko poprzez ochronę języka polskiego,
- uznając tę ochronę za obowiązek wszystkich organów i instytucji publicznych Rzeczypospolitej Polskiej i powinność jej obywateli uchwała niniejszą ustawę.

ROZDZIAŁ 1

Przepisy ogólne

Artykuł 1.

Przepisy ustawy dotyczą ochrony języka polskiego i używania go w działalności publicznej oraz w obrocie prawnym na terytorium Rzeczypospolitej Polskiej.

Artykuł 2.

Ustawa nie narusza:

- (1) przepisów ustaw o stosunku państwa do kościołów i innych związków wyznaniowych, w szczególności dotyczących uprawiania kultu i praktyk religijnych,
- (2) praw mniejszości narodowych i grup etnicznych.

Artykuł 3.

(1) Ochrona języka polskiego polega w szczególności na:

1. dbaniu o poprawne używanie języka i doskonaleniu sprawności językowej jego użytkowników oraz na stwarzaniu warunków do właściwego rozwoju języka jako narzędzia międzyludzkiej komunikacji,
2. przeciwdziałaniu jego wulgaryzacji,
3. szerzeniu wiedzy o nim i jego roli w kulturze,
4. upowszechnianiu szacunku dla regionalizmów i gwar, a także przeciwdziałaniu ich zanikowi,
5. promocji języka polskiego w świecie,
6. wspieraniu nauczania języka polskiego w kraju i za granicą.

(2) Do ochrony języka polskiego są obowiązane wszystkie organy władzy publicznej oraz instytucje i organizacje uczestniczące w życiu publicznym.

(3) Minister właściwy do spraw oświaty i wychowania określa, w drodze rozporządzenia, zasady prowadzenia egzaminów państwowych z języka polskiego dla cudzoziemców ubiegających się o urzędowe poświadczenie jego znajomości.

Artykuł 4.

Język polski jest językiem urzędowym:

1. konstytucyjnych organów państwa,
2. organów jednostek samorządu terytorialnego i podległych im instytucji w zakresie, w jakim wykonują zadania publiczne,
3. terenowych organów administracji publicznej,
4. instytucji powołanych do realizacji określonych zadań publicznych,
5. organów, instytucji i urzędów podległych organom wymienionym w pkt 1 i pkt 3, powołanych w celu realizacji zadań tych organów, a także organów państwowych osób prawnych w zakresie, w jakim wykonują zadania publiczne,
6. organów samorządu innego niż samorząd terytorialny oraz organów organizacji społecznych, zawodowych, spółdzielczych i innych podmiotów wykonujących zadania publiczne.

ROZDZIAŁ 2

Ochrona prawna języka polskiego w życiu publicznym

Artykuł 5.

(1) Podmioty wykonujące zadania publiczne na terytorium Rzeczypospolitej Polskiej dokonują wszelkich czynności urzędowych w języku polskim, chyba że przepisy szczególne stanowią inaczej.

(2) Przepis ust. 1 stosuje się odpowiednio do oświadczeń składanych organom, o których mowa w art. 4.

Artykuł 6.

Umowy międzynarodowe zawierane przez Rzeczpospolitą Polską powinny mieć polską wersję językową, stanowiącą podstawę wykładni, chyba że przepisy szczególne stanowią inaczej.

Artykuł 7.

(1) Języka polskiego używa się w obrocie prawnym na terytorium Rzeczypospolitej Polskiej pomiędzy podmiotami polskimi oraz gdy jedną ze stron jest podmiot polski. Dotyczy to w szczególności nazewnictwa towarów i usług, ofert, reklamy, instrukcji obsługi, informacji o właściwościach towarów i usług, warunków gwarancji, faktur, rachunków i pokwitowań.

(2) Podmiotem polskim w rozumieniu ustawy jest:

1. osoba fizyczna mająca miejsce zamieszkania na terytorium Rzeczypospolitej Polskiej,
2. osoba prawna lub jednostka organizacyjna nie posiadająca osobowości prawnej – prowadząca działalność na terytorium Rzeczypospolitej Polskiej.

(3) Posługiwanie się w obrocie prawnym na terytorium Rzeczypospolitej Polskiej wyłącznie obcojęzycznymi określeniami, z wyjątkiem nazw własnych, jest zakazane.

(4) Obcojęzyczne opisy towarów i usług oraz obcojęzyczne oferty i reklamy wprowadzane do obrotu prawnego, o którym mowa w ust. 1, muszą jednocześnie mieć polską wersję językową.

(5) Kontrolę wykonywania obowiązków, o których mowa w ust. 1, 3 i 4, sprawuje Inspekcja Handlowa oraz Urząd Ochrony Konkurencji i Konsumentów.

Artykuł 8.

(1) Jeżeli stroną umowy, której wykonanie ma nastąpić na terytorium Rzeczypospolitej Polskiej, jest podmiot polski, umowę sporządza się w języku polskim.

(2) Umowa sporządzona w języku polskim może mieć wersję lub wersje obcojęzyczne. Jeżeli strony nie postanowiły inaczej, podstawą wykładni takiej umowy jest jej wersja polskojęzyczna.

(3) Do umów zawartych z naruszeniem ust. 1 i 2 stosuje się odpowiednio art. 74 § 1 zdanie pierwsze oraz art. 74 § 2 Kodeksu cywilnego; umowa sporządzona w języku obcym nie stanowi uprawdopodobnienia faktu dokonania czynności prawnej, o którym mowa w art. 74 § 2 Kodeksu cywilnego.

Artykuł 9.

Język polski jest językiem nauczania oraz językiem egzaminów i prac dyplomowych w szkołach publicznych i niepublicznych wszystkich typów, w państwowych i niepaństwowych szkołach wyższych oraz w placówkach oświatowych i innych instytucjach edukacyjnych, chyba że przepisy szczególne stanowią inaczej.

Artykuł 10.

(1) Napisy i informacje w urzędach i instytucjach użyteczności publicznej, a także przeznaczone do odbioru publicznego oraz w środkach transportu publicznego sporządza się w języku polskim.

(2) Nazwom i tekstom w języku polskim mogą towarzyszyć wersje w przekładzie na język obcy w wypadkach i granicach określonych w rozporządzeniu ministra właściwego do spraw administracji publicznej.

Artykuł 11.

Przepisy art. 5–7 oraz art. 9 i art. 10 nie dotyczą:

- (1) nazw własnych,
- (2) obcojęzycznych dzienników, czasopism, książek oraz programów komputerowych, z wyjątkiem ich opisów i instrukcji,
- (3) działalności dydaktycznej i naukowej szkół wyższych, szkół i klas z obcym językiem wykładowym lub dwujęzycznych, nauczycielskich kolegiów języków obcych, a także nauczania innych przedmiotów, jeżeli jest to zgodne z przepisami szczególnymi,
- (4) twórczości naukowej i artystycznej,
- (5) zwyczajowo stosowanej terminologii naukowej i technicznej,
- (6) znaków towarowych, nazw handlowych oraz oznaczeń pochodzenia towarów i usług.

ROZDZIAŁ 3

Rada Języka Polskiego i jej kompetencje

Artykuł 12.

(1) Instytucją opiniodawczo-doradczą w sprawach używania języka polskiego jest Rada Języka Polskiego, zwana dalej "Radą", działająca jako komitet problemowy w rozumieniu art. 34 ustawy z dnia 25 kwietnia 1997 r. o Polskiej Akademii Nauk (Dz. U. Nr 75, poz. 469 i Nr 141, poz. 943 oraz z 1999 r. Nr 49, poz. 484).

(2) Nie rzadziej niż co dwa lata Rada przedstawia Sejmowi i Senatowi sprawozdanie o stanie ochrony języka polskiego w rozumieniu art. 3.

Artykuł 13.

(1) Rada, na wniosek ministra właściwego do spraw kultury, ministra właściwego do spraw oświaty i wychowania, Prezesa Polskiej Akademii Nauk lub z własnej inicjatywy wyraża, w drodze uchwały, opinie o używaniu języka polskiego w działalności publicznej i obrocie prawnym oraz ustala zasady ortografii i interpunkcji języka polskiego.

(2) Towarzystwa naukowe, stowarzyszenia twórców i szkoły wyższe mogą zwracać się do Rady w sprawach używania języka polskiego.

Artykuł 14.

(1) Każdy organ, o którym mowa w art. 4, może zasięgnąć opinii Rady w wypadku wystąpienia w toku czynności urzędowych istotnych wątpliwości dotyczących użycia języka polskiego.

(2) Producent, importer oraz dystrybutor towaru lub usługi, dla których w języku polskim brak jest odpowiedniej nazwy, może wystąpić z wnioskiem do Rady o udzielenie opinii co do odpowiedniej formy językowej dla oznaczenia tego towaru lub usługi.

ROZDZIAŁ 4

Przepisy karne

Artykuł 15.

(1) Kto w obrocie prawnym na terytorium Rzeczypospolitej Polskiej stosuje wyłącznie obcojęzyczne nazewnictwo towarów i usług, ofert, reklam, instrukcji obsługi, informacji o właściwościach towarów i usług, warunków

gwarancji, faktur, rachunków i pokwitowań, z pominięciem polskiej wersji językowej, podlega karze grzywny.

(2) W razie ukarania za wykroczenia, o których mowa w ust. 1, można orzec nawiązkę nie wyższą niż 100.000 złotych z przeznaczeniem na Fundusz Promocji Twórczości, ustanowiony na podstawie art. 111 ustawy z dnia 4 lutego 1994 r. o prawie autorskim i prawach pokrewnych (Dz. U. Nr 24, poz. 83 i Nr 43, poz. 170 oraz z 1997 r. Nr 43, poz. 272 i Nr 88, poz. 554).

ROZDZIAŁ 5

Zmiany w przepisach obowiązujących i przepisy końcowe

Artykuł 16.

W ustawie z dnia 26 stycznia 1984 r. – Prawo prasowe (Dz. U. Nr 5, poz. 24, z 1988 r. Nr 41, poz. 324, z 1989 r. Nr 34, poz. 187, z 1990 r. Nr 29, poz. 173, z 1991 r. Nr 100, poz. 442, z 1996 r. Nr 114, poz. 542 oraz z 1997 r. Nr 88, poz. 554 i Nr 121, poz. 770) wprowadza się następujące zmiany:

- (1) w art. 12 w ust. 1 w pkt 2 kropkę na końcu zastępuje się przecinkiem oraz dodaje pkt 3 w brzmieniu:
„3) dbać o poprawność języka i unikać używania wulgaryzmów.”;
- (2) w art. 25 w ust. 4 dodaje się zdanie drugie w brzmieniu:
„Jest również obowiązany do dbania o poprawność języka materiałów prasowych oraz przeciwdziałania jego wulgaryzacji.”

Artykuł 17.

W ustawie z dnia 29 grudnia 1992 r. o radiofonii i telewizji (Dz. U. z 1993 r. Nr 7, poz. 34, z 1995 r. Nr 66, poz. 335 i Nr 142, poz. 701, z 1996 r. Nr 106, poz. 496 oraz z 1997 r. Nr 88, poz. 554 i Nr 121, poz. 770) wprowadza się następujące zmiany:

- (1) w art. 18 dodaje się ust. 5 w brzmieniu:
„5. Nadawcy dbają o poprawność języka swoich programów i przeciwdziałają jego wulgaryzacji.”;
- (2) w art. 21 w ust. 1 dodaje się pkt 6a w brzmieniu:
„6a) upowszechnianie wiedzy o języku polskim,”.

Artykuł 18.

Traci moc dekret z dnia 30 listopada 1945 r. o języku państwowym i języku urzędowania rządowych i samorządowych władz administracyjnych (Dz. U. Nr 57, poz. 324).

Artykuł 19.

Ustawa wchodzi w życie po upływie 6 miesięcy od dnia ogłoszenia.
Akt prawny opublikowany przez Dom Wydawniczy ABC

Rada Języka Polskiego

Realizując jeden z wniosków wrocławskiego Forum Kultury Słowa, Prezydium Polskiej Akademii Nauk uchwałą nr 17/96 z dnia 9 września 1996 r. powołało do życia trzydziestoosobową Radę Języka Polskiego. Według nadanego jej regulaminu Rada wydaje opinie we wszelkich sprawach dotyczących używania języka polskiego w komunikacji publicznej. Do zadań Rady należy w szczególności:

- upowszechnianie wiedzy o języku polskim, jego odmianach, normach i kryteriach oceny jego użycia oraz proponowanie form językowych odpowiednich w różnych sytuacjach;
- rozstrzyganie wątpliwości językowych co do słownictwa, gramatyki, wymowy, ortografii i interpunkcji, a także co do stosowności stylistycznego kształtu wypowiedzi;
- poszukiwanie rozwiązań w zakresie używania języka polskiego w różnych dziedzinach nauki i techniki, zwłaszcza w dyscyplinach nowych (np. w informatyce);
- wyrażanie opinii o formie językowej tekstów przeznaczonych do komunikacji publicznej, a zwłaszcza w prasie, radiu i telewizji oraz w administracji;
- wypowiedzanie się w sprawie przepisów ortograficznych i interpunkcyjnych;
- opiniowanie nazw (i ich form gramatycznych i ortograficznych) proponowanych dla nowych towarów lub usług;
- otaczanie szczególną opieką kulturę języka polskiego w nauczaniu szkolnym.

Artykuł 12.

(1) Instytucją opiniodawczo-doradczą w sprawach używania języka polskiego jest Rada Języka Polskiego, zwana dalej „Radą”, działająca jako komitet problemowy w rozumieniu art. 34 ustawy z dnia 25 kwietnia 1997 r. o Polskiej Akademii Nauk (Dz.U. Nr 75, poz. 469 i Nr 141, poz. 943).

(2) Nie rzadziej niż co dwa lata Rada przedstawia Sejmowi i Senatowi sprawozdanie o stanie ochrony języka polskiego w rozumieniu art. 3.

Artykuł 13.

(1) Rada, na wniosek ministra właściwego do spraw kultury, ministra właściwego do spraw oświaty i wychowania, Prezesa Polskiej Akademii Nauk lub z własnej inicjatywy wyraża, w drodze uchwały, opinie o używaniu języka polskiego w działalności publicznej i obrocie prawnym oraz ustala zasady ortografii i interpunkcji języka polskiego.

(2) Towarzystwa naukowe, stowarzyszenia twórców i szkoły wyższe mogą zwracać się do Rady w sprawach używania języka polskiego.

Artykuł 14.

(1) Każdy organ, o którym mowa w art. 4, może zasięgnąć opinii Rady w wypadku wystąpienia w toku czynności urzędowych istotnych wątpliwości dotyczących użycia języka polskiego.

(2) Producent, importer oraz dystrybutor towaru lub usługi, dla których w języku polskim brak jest odpowiedniej nazwy, może wystąpić z wnioskiem do Rady o udzielenie opinii co do odpowiedniej formy językowej dla oznaczenia tego towaru lub usługi.

Ustawa o mniejszościach narodowych i etnicznych oraz o języku regionalnym

**z dnia 6 stycznia 2005 r.
(Dz.U. z dnia 31 stycznia 2005r.)**

ROZDZIAŁ 1

Przepisy ogólne

Art. 1.

Ustawa reguluje sprawy związane z zachowaniem i rozwojem tożsamości kulturowej mniejszości narodowych i etnicznych oraz zachowaniem i rozwojem języka regionalnego, a także sposób realizacji zasady równego traktowania osób bez względu na pochodzenie etniczne oraz określa zadania i kompetencje organów administracji rządowej i jednostek samorządu terytorialnego w zakresie tych spraw.

Art. 2.

(1) Mniejszością narodową, w rozumieniu ustawy, jest grupa obywateli polskich, która spełnia łącznie następujące warunki:

1. jest mniej liczebna od pozostałej części ludności Rzeczypospolitej Polskiej;
2. w sposób istotny odróżnia się od pozostałych obywateli językiem, kulturą lub tradycją;
3. dąży do zachowania swojego języka, kultury lub tradycji;
4. ma świadomość własnej historycznej wspólnoty narodowej i jest ukierunkowana na jej wyrażanie i ochronę;
5. jej przodkowie zamieszkiwali obecne terytorium Rzeczypospolitej Polskiej od co najmniej 100 lat;
6. utożsamia się z narodem zorganizowanym we własnym państwie.

(2) Za mniejszości narodowe uznaje się następujące mniejszości:

1. białoruską;
2. czeską;
3. litewską;
4. niemiecką;
5. ormiańską;
6. rosyjską;
7. słowacką;
8. ukraińską;
9. żydowską.

(3) Mniejszością etniczną, w rozumieniu ustawy, jest grupa obywateli polskich, która spełnia łącznie następujące warunki:

1. jest mniej liczebna od pozostałej części ludności Rzeczypospolitej Polskiej;
2. w sposób istotny odróżnia się od pozostałych obywateli językiem, kulturą lub tradycją;
3. dąży do zachowania swojego języka, kultury lub tradycji;
4. ma świadomość własnej historycznej wspólnoty etnicznej i jest ukierunkowana na jej wyrażanie i ochronę;
5. jej przodkowie zamieszkiwali obecne terytorium Rzeczypospolitej Polskiej od co najmniej 100 lat;
6. nie utożsamia się z narodem zorganizowanym we własnym państwie.

(4) Za mniejszości etniczne uznaje się następujące mniejszości:

1. karaimską;
2. łemkowską;
3. romską;
4. tatarską.

Art. 3.

Ilekoć w ustawie jest mowa o:

1. mniejszościach – rozumie się przez to mniejszości narodowe i etniczne, o których mowa w art. 2;
2. języku mniejszości – rozumie się przez to własny język mniejszości narodowej lub etnicznej, o których mowa w art. 2.

Art. 4.

(1) Każda osoba należąca do mniejszości ma prawo do swobodnej decyzji o traktowaniu jej jako osoby należącej bądź też nienależącej do mniejszości, a wybór taki lub korzystanie ze związanych z tym wyborem praw nie pociąga za sobą jakichkolwiek niekorzystnych skutków.

(2) Nikt nie może być obowiązany, inaczej niż na podstawie ustawy, do ujawnienia informacji o własnej przynależności do mniejszości lub ujawnienia swojego pochodzenia, języka mniejszości lub religii.

(3) Nikt nie może być obowiązany do udowodnienia własnej przynależności do danej mniejszości.

(4) Osoby należące do mniejszości mogą korzystać z praw i wolności wynikających z zasad zawartych w niniejszej ustawie indywidualnie, jak też wspólnie z innymi członkami swojej mniejszości.

Art. 5.

(1) Zabrania się stosowania środków mających na celu asymilację osób należących do mniejszości, jeżeli środki te są stosowane wbrew ich woli.

(2) Zabrania się stosowania środków mających na celu zmianę proporcji narodowościowych lub etnicznych na obszarach zamieszkałych przez mniejszości.

Art. 6.

(1) Zabrania się dyskryminacji wynikającej z przynależności do mniejszości.

(2) Organy władzy publicznej są obowiązane podejmować odpowiednie środki w celu:

1. popierania pełnej i rzeczywistej równości w sferze życia ekonomicznego, społecznego, politycznego i kulturalnego pomiędzy osobami należącymi do mniejszości, a osobami należącymi do większości;
2. ochrony osób, które są obiektem dyskryminacji, wrogości lub przemocy, będących skutkiem ich przynależności do mniejszości;
3. umacniania dialogu międzykulturowego.

ROZDZIAŁ 2

Używanie języka mniejszości

Art. 7.

(1) Osoby należące do mniejszości mają prawo do używania i pisowni swoich imion i nazwisk zgodnie z zasadami pisowni języka mniejszości, w szczególności do rejestracji w aktach stanu cywilnego i dokumentach tożsamości.

(2) Imiona i nazwiska osób należących do mniejszości zapisane w alfabecie innym niż alfabet łaciński podlegają transliteracji.

(3) Minister właściwy do spraw administracji publicznej w porozumieniu z ministrem właściwym do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych określi, w drodze rozporządzenia, sposób transliteracji, o której mowa w ust. 2, uwzględniając zasady pisowni języka mniejszości.

Art. 8.

Osoby należące do mniejszości mają w szczególności prawo do:

1. swobodnego posługiwania się językiem mniejszości w życiu prywatnym i publicznie;
2. rozpowszechniania i wymiany informacji w języku mniejszości;
3. zamieszczania w języku mniejszości informacji o charakterze prywatnym;
4. nauki języka mniejszości lub w języku mniejszości.

Art. 9.

(1) Przed organami gminy, obok języka urzędowego, może być używany, jako język pomocniczy, język mniejszości.

(2) Język pomocniczy może być używany jedynie w gminach, w których liczba mieszkańców gminy należących do mniejszości, której język ma być używany jako język pomocniczy, jest nie mniejsza niż 20% ogólnej liczby mieszkańców gminy i które zostały wpisane do Urzędowego Rejestru Gmin, w których używany jest język pomocniczy, zwanego dalej „Urzędowym Rejestrem”.

(3) Możliwość używania języka pomocniczego oznacza, że osoby należące do mniejszości, z zastrzeżeniem ust. 5, mają prawo do:

1. zwracania się do organów gminy w języku pomocniczym w formie pisemnej lub ustnej;
2. uzyskiwania, na wyraźny wniosek, odpowiedzi także w języku pomocniczym w formie pisemnej lub ustnej.

(4) Dopuszcza się wniesienie podania w języku pomocniczym. Wniesienie podania w języku pomocniczym nie stanowi braku powodującego pozostawienie podania bez rozpoznania.

(5) Procedura odwoławcza odbywa się wyłącznie w języku urzędowym.

(6) Nikt nie może uchylić się od wykonania zgodnego z prawem polecenia lub orzeczenia wydanego w języku urzędowym, jeżeli okoliczności wymagają niezwłocznego jego wykonania, aby mogło osiągnąć swój cel.

(7) Wątpliwości rozstrzygane są na podstawie dokumentu sporządzonego w języku urzędowym.

Art. 10.

(1) Wpisu do Urzędowego Rejestru dokonuje prowadzący Urzędowy Rejestr minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych, na podstawie wniosku rady gminy.

(2) Wniosek, o którym mowa w ust. 1, powinien zawierać w szczególności dane urzędowe dotyczące liczby mieszkańców gminy, w tym liczby mieszkańców należących do mniejszości, której język ma być używany jako język pomocniczy oraz uchwałę rady gminy o wyrażeniu zgody na wprowadzenie języka pomocniczego wraz ze wskazaniem języka mniejszości, który ma być językiem pomocniczym.

(3) Przed dokonaniem wpisu do Urzędowego Rejestru, minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych weryfikuje wniosek, o którym mowa w ust. 1. Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych może odmówić dokonania wpisu do Urzędowego Rejestru, jeżeli wniosek nie spełnia wymogów określonych w ust. 2.

(4) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych odmawia dokonania wpisu do Urzędowego Rejestru jeżeli liczba mieszkańców gminy należących do mniejszości, której język ma być używany jako język pomocniczy, jest mniejsza niż 20% ogólnej liczby mieszkańców tej gminy.

(5) Na odmowę dokonania wpisu do Urzędowego Rejestru radzie gminy przysługuje skarga do sądu administracyjnego.

(6) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych na wniosek rady gminy wykreśla gminę z Urzędowego Rejestru.

(7) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych określi, w porozumieniu z ministrem właściwym do spraw administracji publicznej, w drodze rozporządzenia, sposób prowadzenia Urzędowego Rejestru oraz wzór wniosku, o którym mowa w ust. 1, uwzględniając w szczególności dane pozwalające na jednoznaczną identyfikację gminy (nazwa województwa, nazwa powiatu, nazwa gminy) oraz informacje, o których mowa w ust. 2.

Art. 11.

(1) W gminie wpisanej do Urzędowego Rejestru pracownikom zatrudnionym w urzędzie gminy, w jednostkach pomocniczych gminy oraz w gminnych jednostkach i zakładach budżetowych może być przyznany dodatek z tytułu znajomości języka pomocniczego obowiązującego na tere-

nie tej gminy. Zasady przyznawania dodatku oraz jego wysokość określają przepisy dotyczące zasad wynagradzania pracowników samorządowych.

(2) Znajomość języka pomocniczego potwierdza dyplom, zaświadczenie lub certyfikat.

(3) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych określi, w porozumieniu z ministrem właściwym do spraw oświaty i wychowania, w drodze rozporządzenia, wykaz dyplomów, zaświadczeń lub certyfikatów, o których mowa w ust. 2, uwzględniając wszystkie języki mniejszości.

Art. 12.

(1) Dodatkowe tradycyjne nazwy w języku mniejszości mogą być używane obok:

1. urzędowych nazw miejscowości i obiektów fizjograficznych,
2. nazw ulic

– ustalonych w języku polskim na podstawie odrębnych przepisów.

(2) Dodatkowe nazwy, o których mowa w ust. 1, mogą być używane jedynie na obszarze gmin wpisanych do, prowadzonego przez ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych Rejestru gmin, na których obszarze używane są nazwy w języku mniejszości, zwanego dalej "Rejestrem gmin". Wpisu do Rejestru gmin dokonuje minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych na wniosek rady gminy, na której obszarze nazwy te mają być używane, z zastrzeżeniem ust. 7 i art. 13 ust. 1-7.

(3) Dodatkowe nazwy, o których mowa w ust. 1, nie mogą nawiązywać do nazw z okresu 1933-1945, nadanych przez władze Trzeciej Rzeszy Niemieckiej lub Związku Socjalistycznych Republik Radzieckich.

(4) Dodatkowe nazwy, o których mowa w ust. 1, mogą być wprowadzone na terenie całej gminy lub w poszczególnych miejscowościach.

(5) Dodatkowe nazwy, o których mowa w ust. 1, umieszczane są po nazwie w języku polskim i nie mogą być stosowane samodzielnie.

(6) Ustalenie dodatkowej nazwy w języku mniejszości następuje zgodnie z zasadami pisowni tego języka.

(7) Dodatkowa nazwa miejscowości lub obiektu fizjograficznego w języku mniejszości może być ustalona na wniosek rady gminy, jeżeli:

1. liczba mieszkańców gminy należących do mniejszości jest nie mniejsza niż 20% ogólnej liczby mieszkańców tej gminy, lub, w przypadku miejscowości zamieszkannej, za ustaleniem dodatkowej nazwy miejscowości w języku mniejszości opowiedziała się w konsultacjach, przeprowadzonych w trybie określonym w art. 5a ust. 2 ustawy z dnia

8 marca 1990 r. o samorządzie gminnym (Dz.U. z 2001 r. Nr 142, poz. 191, z późn. zm.)¹⁹, ponad połowa mieszkańców tej miejscowości biorących udział w konsultacjach;

2. wniosek rady gminy uzyskał pozytywną opinię Komisji Nazw Miejscowości i Obiektów Fizjograficznych, utworzonej na podstawie ustawy z dnia 29 sierpnia 2003 r. o urzędowych nazwach miejscowości i obiektów fizjograficznych (Dz.U. Nr 166, poz. 1612).

(8) Do ustalania dodatkowych nazw ulic w języku mniejszości zastosowanie mają przepisy ustawy, o której mowa w ust. 7 pkt 1.

Art. 13.

(1) Rada gminy przedstawia wniosek, o którym mowa w art. 12 ust. 7, na wniosek mieszkańców gminy należących do mniejszości lub z inicjatywy własnej. W przypadku wniosku dotyczącego nazwy miejscowości zamieszkaney, rada gminy jest obowiązana uprzednio przeprowadzić w tej sprawie konsultacje z mieszkańcami tej miejscowości, w trybie określonym w art. 5a ust. 2 ustawy o samorządzie gminnym.

(2) Rada gminy przedstawia wniosek, o którym mowa w art. 12 ust. 7, ministrowi właściwemu do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych za pośrednictwem wojewody.

(3) Wniosek, o którym mowa w art. 12 ust. 7, powinien zawierać:

1. uchwałę rady gminy w sprawie ustalenia dodatkowej nazwy miejscowości lub obiektu fizjograficznego;
2. prawidłowe brzmienie urzędowej nazwy miejscowości lub obiektu fizjograficznego w języku polskim;
3. w przypadku obiektu fizjograficznego – opinie zarządów województw, na których terenie obiekt się znajduje,
4. proponowane brzmienie nazwy dodatkowej w języku mniejszości;
5. omówienie wyników konsultacji, o których mowa w ust. 1 i w art. 12 ust. 7 pkt 1;
6. informację o kosztach finansowych wprowadzenia proponowanej zmiany.

(4) Wymóg zasięgnięcia opinii uznaje się za spełniony w przypadku niewyrażenia opinii, o których mowa w ust. 3 pkt 3, w terminie 30 dni od dnia otrzymania wystąpienia o opinię.

¹⁹ Zmiany tekstu jednolitego wymienionej ustawy zostały ogłoszone w Dz.U. z 2002 r. Nr 23, poz. 220, Nr 62, poz. 558, Nr 113, poz. 984, Nr 153, poz. 1271 i Nr 214, poz. 1806, z 2003 r. Nr 80, poz. 717 i Nr 162, poz. 1568 oraz z 2004 r. Nr 102, poz. 1055, Nr 116, poz. 1203 i Nr 167, poz. 1759.

(5) Wojewoda jest obowiązany przekazać ministrowi właściwemu do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych wniosek, o którym mowa w art. 12 ust. 7, nie później niż w ciągu 30 dni od dnia jego otrzymania, dołączając swoją opinię. Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych przekazuje Komisji Nazw Miejscowości i Obiektów Fizjograficznych wnioski do zaopiniowania. Komisja Nazw Miejscowości i Obiektów Fizjograficznych przedstawia ministrowi właściwemu do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych swoją opinię, za pośrednictwem ministra właściwego do spraw administracji publicznej, niezwłocznie po zapoznaniu się z wnioskiem.

(6) Dodatkową nazwę miejscowości lub obiektu fizjograficznego w języku mniejszości uważa się za ustaloną, jeżeli została wpisana do Rejestru gmin.

(7) Wpisu, o którym mowa w ust. 6, dokonuje minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych, po uzyskaniu pozytywnej opinii Komisji Nazw Miejscowości i Obiektów Fizjograficznych.

(8) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych odmówi wpisania do Rejestru gmin dodatkowej nazwy miejscowości lub obiektu fizjograficznego w języku mniejszości lub wykreśli nazwę z tego Rejestru, jeżeli będzie nawiązywała do nazwy z okresu 1933–1945, nadanej przez władze Trzeciej Rzeszy Niemieckiej lub Związku Socjalistycznych Republik Radzieckich.

(9) Na odmowę dokonania wpisu, o którym mowa w ust. 6, i na wykreślenie, o którym mowa w ust. 8, radzie gminy przysługuje skarga do sądu administracyjnego.

(10) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych w porozumieniu z ministrem właściwym do spraw administracji publicznej, określi, w drodze rozporządzenia, wzory wniosków rady gminy:

1. o wpisanie gminy do Rejestru gmin,
2. o ustalenie dodatkowej nazwy miejscowości lub obiektu fizjograficznego w języku mniejszości
– biorąc pod uwagę szczegółowy zakres informacji umieszczanych w Rejestrze gmin.

(11) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych w porozumieniu z ministrem właściwym do spraw administracji publicznej, określi, w drodze rozporządzenia, sposób prowadzenia Rejestru gmin oraz szczegółowy zakres informacji umieszczanych w tym Rejestrze, uwzględniając określenie województwa i powiatu, na

których obszarze położona jest gmina, nazwę gminy, urzędową nazwę miejscowości lub obiektu fizjograficznego oraz dodatkową nazwę w języku mniejszości.

(12) Minister właściwy do spraw transportu, w porozumieniu z ministrem właściwym do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych i ministrem właściwym do spraw administracji publicznej, określi, w drodze rozporządzenia, szczegóły dotyczące umieszczania na znakach i tablicach dodatkowych nazw w języku mniejszości, uwzględniając w szczególności wielkość i styl czcionki nazw w języku polskim i w języku mniejszości.

Art. 14.

Przez liczbę mieszkańców gminy należących do mniejszości, o której mowa w art. 9 ust. 2, art. 10 ust. 4 i art. 12 ust. 7 pkt 1, należy rozumieć liczbę urzędowo ustaloną jako wynik ostatniego spisu powszechnego.

Art. 15.

(1) Koszty związane z wprowadzeniem i używaniem na obszarze gminy języka pomocniczego oraz koszty związane z wprowadzeniem dodatkowych nazw, o których mowa w art. 12 ust. 1, w języku mniejszości ponosi, z zastrzeżeniem ust. 2, budżet gminy.

(2) Koszty związane z wymianą tablic informacyjnych, wynikającą z ustalenia dodatkowej nazwy miejscowości lub obiektu fizjograficznego w języku mniejszości ponosi budżet państwa.

Art. 16.

Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych zarządza tłumaczenie niniejszej ustawy na języki mniejszości.

ROZDZIAŁ 3

Oświata i kultura

Art. 17.

Realizacja prawa osób należących do mniejszości do nauki języka mniejszości lub w języku mniejszości, a także prawa tych osób do nauki historii i kultury mniejszości odbywa się na zasadach i w trybie określonych w usta-

wie z dnia 7 września 1991 r. o systemie oświaty (Dz.U. z 2004 r. Nr 256, poz. 2572 i Nr 281, poz. 2781).

Art. 18.

(1) Organy władzy publicznej są obowiązane podejmować odpowiednie środki w celu wspierania działalności zmierzającej do ochrony, zachowania i rozwoju tożsamości kulturowej mniejszości.

(2) Środkami, o których mowa w ust. 1, mogą być w szczególności dotacje celowe lub podmiotowe na:

1. działalność instytucji kulturalnych, ruchu artystycznego i twórczości mniejszości oraz imprez artystycznych mających istotne znaczenie dla kultury mniejszości;
2. inwestycje służące zachowaniu tożsamości kulturowej mniejszości;
3. wydawanie książek, czasopism, periodyków i druków ulotnych w językach mniejszości lub w języku polskim, w postaci drukowanej oraz w innych technikach zapisu obrazu i dźwięku;
4. wspieranie programów telewizyjnych i audycji radiowych realizowanych przez mniejszości;
5. ochronę miejsc związanych z kulturą mniejszości;
6. działalność świetlicową;
7. prowadzenie bibliotek oraz dokumentacji życia kulturalnego i artystycznego mniejszości;
8. edukację dzieci i młodzieży realizowaną w różnych formach;
9. propagowanie wiedzy o mniejszościach;
10. inne programy realizujące cele, o których mowa w ust. 1, oraz wspierające integrację obywatelską mniejszości.

(3) Dotacje, o których mowa w ust. 2, przyznawane z części budżetu państwa, której dysponentem jest minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych, mogą być udzielane z pominięciem otwartego konkursu ofert. Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych corocznie ogłasza zasady postępowania w sprawach dotyczących udzielania dotacji, o których mowa w ust. 2. Przepisy art. 14–18 ustawy z dnia 24 kwietnia 2003 r. o działalności pożytku publicznego i o wolontariacie (Dz.U. Nr 96, poz. 873 oraz z 2004 r. Nr 64, poz. 593, Nr 116, poz. 1203 i Nr 210, poz. 2135) stosuje się odpowiednio.

(4) Środkami, o których mowa w ust. 1, mogą być również środki przekazywane z budżetu jednostki samorządu terytorialnego organizacjom lub instytucjom, realizującym zadania służące ochronie, zachowaniu i rozwojowi tożsamości kulturowej mniejszości.

(5) Dotacje podmiotowe, o których mowa w ust. 2, mogą otrzymywać organizacje mniejszości lub mające istotne znaczenie dla kultury mniejszości instytucje kulturalne. Przepis art. 73 ust. 4 ustawy z dnia 26 listopada 1998 r. o finansach publicznych (Dz.U. z 2003 r. Nr 15, poz. 148, z późn. zm.)²⁰ stosuje się odpowiednio.

ROZDZIAŁ 4

Język regionalny

Art. 19.

(1) Za język regionalny w rozumieniu ustawy, zgodnie z Europejską Kartą Języków Regionalnych lub Mniejszościowych, uważa się język, który:

1. jest tradycyjnie używany na terytorium danego państwa przez jego obywateli, którzy stanowią grupę liczebnie mniejszą od reszty ludności tego państwa;
2. różni się od oficjalnego języka tego państwa; nie obejmuje to ani dialektów oficjalnego języka państwa, ani języków migrantów.

(2) Językiem regionalnym w rozumieniu ustawy jest język kaszubski. Przepisy art. 7–15 stosuje się odpowiednio, z tym że przez liczbę mieszkańców gminy, o której mowa w art. 14, należy rozumieć liczbę osób posługujących się językiem regionalnym, urzędowo ustaloną jako wynik ostatniego spisu powszechnego.

Art. 20.

(1) Realizacja prawa osób posługujących się językiem, o którym mowa w art. 19, do nauki tego języka lub w tym języku odbywa się na zasadach i w trybie określonych w ustawie wymienionej w art. 17.

(2) Organy władzy publicznej są obowiązane podejmować odpowiednie środki w celu wspierania działalności zmierzającej do zachowania i rozwoju języka, o którym mowa w art. 19. Przepisy art. 18 ust. 2 i 3 oraz ust. 5 stosuje się odpowiednio.

(3) Środkami, o których mowa w ust. 2, mogą być również środki przekazywane z budżetu jednostki samorządu terytorialnego organizacjom lub instytucjom, realizującym zadania służące zachowaniu i rozwojowi języka, o którym mowa w art. 19.

²⁰ Zmiany tekstu jednolitego wymienionej ustawy zostały ogłoszone w Dz.U. z 2003 r. Nr 45, poz. 391, Nr 65, poz. 594, Nr 96, poz. 874, Nr 166, poz. 1611 i Nr 189, poz. 1851 oraz z 2004 r. Nr 19, poz. 177, Nr 93, poz. 890, Nr 121, poz. 1264, Nr 123, poz. 1291 i Nr 210, poz. 2135 i Nr 273, poz. 2703 oraz z 2005 r. Nr 14, poz. 114.

ROZDZIAŁ 5

Organy do spraw mniejszości narodowych i etnicznych

Art. 21.

(1) Organem administracji rządowej w sprawach objętych ustawą jest minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych.

(2) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych w szczególności:

1. sprzyja realizacji praw i potrzeb mniejszości poprzez podejmowanie działań na rzecz mniejszości i inicjowanie programów dotyczących:
 - a. zachowania i rozwoju tożsamości, kultury i języka mniejszości, przy zapewnieniu pełnej integracji obywatelskiej osób należących do mniejszości,
 - b. realizacji zasady równego traktowania osób bez względu na pochodzenie etniczne;
2. współdziała z właściwymi organami w zakresie przeciwdziałania naruszaniu praw mniejszości;
3. dokonuje analiz i ocen sytuacji prawnej i społecznej mniejszości, w tym w zakresie realizacji zasady, o której mowa w pkt 1 lit. b;
4. upowszechnia wiedzę na temat mniejszości oraz ich kultury, a także inicjuje badania nad sytuacją mniejszości, w tym w zakresie dyskryminacji, o której mowa w art. 6 ust. 1, jej przejawów oraz metod i strategii przeciwdziałania jej występowaniu;
5. podejmuje działania na rzecz zachowania i rozwoju języka, o którym mowa w art. 19.

Art. 22.

(1) Do zadań wojewody należy:

1. koordynowanie na obszarze województwa działań organów administracji rządowej, realizujących zadania na rzecz mniejszości;
2. podejmowanie działań na rzecz respektowania praw mniejszości i przeciwdziałanie naruszaniu tych praw i dyskryminacji osób należących do mniejszości;
3. podejmowanie działań na rzecz rozwiązywania problemów mniejszości;
4. podejmowanie działań na rzecz respektowania praw osób posługujących się językiem, o którym mowa w art. 19.

(2) W celu realizacji zadań, o których mowa w ust. 1, wojewoda współdziała z organami samorządu terytorialnego i organizacjami społecznymi, w szczególności z organizacjami mniejszości oraz opiniuje programy na rzecz mniejszości, a także zachowania i rozwoju języka, o którym mowa w art. 19, realizowane na terenie danego województwa.

(3) Wojewoda może ustanowić pełnomocnika do spraw mniejszości narodowych i etnicznych w trybie art. 35 ustawy z dnia 5 czerwca 1998 r. o administracji rządowej w województwie (Dz.U. z 2001 r. Nr 80, poz. 872, z późn. zm.)²¹ na czas nieoznaczony.

Art. 23.

(1) Tworzy się Komisję Wspólną Rządu i Mniejszości Narodowych i Etnicznych jako organ opiniodawczo-doradczy Prezesa Rady Ministrów, zwaną dalej „Komisją Wspólną”.

(2) Do zadań Komisji Wspólnej należy:

1. wyrażanie opinii w sprawach realizacji praw i potrzeb mniejszości, w tym ocena sposobu realizacji tych praw oraz formułowanie propozycji w zakresie działań zmierzających do zapewnienia realizacji praw i potrzeb mniejszości;
2. opiniowanie programów służących tworzeniu warunków sprzyjających zachowaniu i rozwojowi tożsamości kulturowej mniejszości oraz zachowaniu i rozwojowi języka regionalnego;
3. opiniowanie projektów aktów prawnych dotyczących spraw mniejszości;
4. opiniowanie wysokości i zasad podziału środków przeznaczonych w budżecie państwa na wspieranie działalności zmierzającej do ochrony, zachowania i rozwoju tożsamości kulturowej mniejszości oraz zachowania i rozwoju języka regionalnego;
5. podejmowanie działań na rzecz przeciwdziałania dyskryminacji osób należących do mniejszości.

(3) W celu realizacji swoich zadań Komisja Wspólna:

1. współdziała z organami administracji rządowej i samorządu terytorialnego oraz z zainteresowanymi organizacjami społecznymi;
2. może zwracać się do instytucji, placówek i środowisk naukowych oraz organizacji społecznych w szczególności o opinie, stanowiska, ekspertyzy lub informacje;

²¹ Zmiany tekstu jednolitego wymienionej ustawy zostały ogłoszone w Dz.U. z 2001 r. Nr 128, poz. 1407, z 2002 r. Nr 37, poz. 329, Nr 41, poz. 365, Nr 62, poz. 558, Nr 89, poz. 804 i Nr 200, poz. 1688, z 2003 r. Nr 52, poz. 450, Nr 137, poz. 1302 i Nr 149, poz. 1452 oraz z 200 r. Nr 33, poz. 287.

3. może zapraszać do udziału w swoich pracach przedstawicieli jednostek samorządu terytorialnego, organizacji społecznych i środowisk naukowych.

Art. 24.

(1) W skład Komisji Wspólnej wchodzi:

1. przedstawiciele organów administracji rządowej:
 - a. ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych,
 - b. ministra właściwego do spraw administracji publicznej,
 - c. ministra właściwego do spraw kultury i ochrony dziedzictwa narodowego,
 - d. ministra właściwego do spraw oświaty i wychowania,
 - e. ministra właściwego do spraw finansów publicznych,
 - f. ministra właściwego do spraw pracy,
 - g. Ministra Sprawiedliwości,
 - h. ministra właściwego do spraw wewnętrznych,
 - i. ministra właściwego do spraw zabezpieczenia społecznego,
 - j. ministra właściwego do spraw zagranicznych,
 - k. Prezesa Głównego Urzędu Statystycznego,
 - l. Rady Ochrony Pamięci Walk i Męczeństwa,
 - m. Szefa Kancelarii Prezesa Rady Ministrów;
2. przedstawiciele mniejszości w liczbie:
 - a. dwóch przedstawicieli mniejszości białoruskiej,
 - b. jeden przedstawiciel mniejszości czeskiej,
 - c. dwóch przedstawicieli mniejszości litewskiej,
 - d. dwóch przedstawicieli mniejszości niemieckiej,
 - e. jeden przedstawiciel mniejszości ormiańskiej,
 - f. jeden przedstawiciel mniejszości rosyjskiej,
 - g. jeden przedstawiciel mniejszości słowackiej,
 - h. dwóch przedstawicieli mniejszości ukraińskiej,
 - i. jeden przedstawiciel mniejszości żydowskiej,
 - j. jeden przedstawiciel mniejszości karaimskiej,
 - k. dwóch przedstawicieli mniejszości łemkowskiej,
 - l. dwóch przedstawicieli mniejszości romskiej,
 - m. jeden przedstawiciel mniejszości tatarskiej;
3. dwóch przedstawicieli społeczności posługującej się językiem, o którym mowa w art. 19;
4. sekretarz Komisji Wspólnej, którym jest pracownik urzędu obsługującego ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych.

(2) Prezes Rady Ministrów powołuje i odwołuje członków Komisji Wspólnej na wniosek ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych.

(3) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych zawiadamia organy, o których mowa w ust. 1 pkt 1, oraz organizacje mniejszości oraz społeczności posługującej się językiem, o którym mowa w art. 19, o zamiarze wystąpienia do Prezesa Rady Ministrów z wnioskiem, o którym mowa w ust. 2.

(4) Organy, o których mowa w ust. 1 pkt 1, zgłaszają ministrowi właściwemu do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych swoich kandydatów na członków Komisji Wspólnej w terminie 90 dni od dnia otrzymania zawiadomienia, o którym mowa w ust. 3.

(5) Poszczególne mniejszości, o których mowa w art. 2, oraz społeczności posługująca się językiem, o którym mowa w art. 19, zgłaszają ministrowi właściwemu do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych swoich kandydatów na członków Komisji Wspólnej reprezentujących daną mniejszość lub społeczność posługującą się językiem, o którym mowa w art. 19, w liczbie określonej dla tej mniejszości lub dla tej społeczności odpowiednio w ust. 1 pkt 2 albo pkt 3, w terminie 90 dni od dnia otrzymania zawiadomienia, o którym mowa w ust. 3.

(6) Jeżeli w terminie określonym w ust. 5, któraś z mniejszości lub społeczność posługująca się językiem, o którym mowa w art. 19, nie zgłosi swoich kandydatów lub zgłosi liczbę kandydatów inną niż określona odpowiednio dla tej mniejszości w ust. 1 pkt 2, a dla społeczności w ust. 1 pkt 3, wówczas minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych przedstawia tej mniejszości lub społeczności do zaopiniowania swoich kandydatów na członków Komisji Wspólnej reprezentujących tę mniejszość lub społeczność. W przypadku nie wyrażenia przez mniejszość lub społeczność opinii w terminie 30 dni od dnia przedstawienia przez ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych kandydatów, wymóg uzyskania opinii uznaje się za spełniony.

(7) We wniosku, o którym mowa w ust. 2, minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych wskazuje jako kandydatów na członków Komisji Wspólnej jedynie osoby zgłoszone przez organy, o których mowa w ust. 1 pkt 1, oraz mniejszości lub społeczność posługującą się językiem, o którym mowa w art. 19, z zastrzeżeniem ust. 6, a także kandydata na sekretarza Komisji Wspólnej.

Art. 25.

(1) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych występuje do Prezesa Rady Ministrów z wnioskiem o odwołanie członka Komisji Wspólnej w przypadku:

1. złożenia przez członka rezygnacji z członkostwa w Komisji Wspólnej;
 2. wystąpienia przez organ lub mniejszość lub społeczność posługującą się językiem, o którym mowa w art. 19, których przedstawicielem jest członek do ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych z uzasadnionym wnioskiem o odwołanie członka ze składu Komisji Wspólnej;
 3. skazania członka prawomocnym wyrokiem sądu za przestępstwo popełnione z winy umyślnej.
- (2) Członkostwo w Komisji Wspólnej wygasa w razie śmierci.
- (3) W przypadku wygaśnięcia członkostwa w Komisji Wspólnej lub odwołania członka, Prezes Rady Ministrów, na wniosek ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych, powołuje nowego członka Komisji Wspólnej. Przepisy art. 24 ust. 2-7 stosuje się odpowiednio.

Art. 26.

Rada Ministrów może włączyć w skład Komisji Wspólnej, w drodze rozporządzenia, przedstawiciela organu administracji rządowej innego niż wymieniony w art. 24 ust. 1 pkt 1. Do powołania i odwołania członka Komisji Wspólnej stosuje się odpowiednio przepisy art. 24 ust. 2, 3 i 7 oraz art. 25.

Art. 27.

(1) Współprzewodniczącymi Komisji Wspólnej są przedstawiciel ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych oraz przedstawiciel mniejszości oraz społeczności posługującej się językiem, o którym mowa w art. 19, wybrany przez członków Komisji Wspólnej, o których mowa w art. 24 ust. 1 pkt 2 i 3.

(2) Współprzewodniczących Komisji Wspólnej powołuje i odwołuje Prezes Rady Ministrów, na wniosek ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych.

Art. 28.

(1) Posiedzenia Komisji Wspólnej odbywają się nie rzadziej niż raz na 6 miesięcy.

(2) Posiedzenia zwołuje współprzewodniczący Komisji Wspólnej, będący przedstawicielem ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych z inicjatywy własnej lub na wniosek współprzewodniczącego, będącego przedstawicielem mniejszości i społeczności posługującej się językiem, o którym mowa w art. 19.

(3) W celu wypracowania wspólnego stanowiska mniejszości i społeczności posługującej się językiem, o którym mowa w art. 19, współprzewodniczący, będący przedstawicielem mniejszości i tej społeczności, może zwoływać posiedzenia, w których udział będą brali tylko członkowie Komisji Wspólnej, o których mowa w art. 24 ust. 1 pkt 2 i 3. Stanowisko jest niezwłocznie przekazywane pozostałym członkom Komisji Wspólnej przez współprzewodniczącego.

(4) W celu wypracowania wspólnego stanowiska administracji rządowej, współprzewodniczący, będący przedstawicielem ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych, może zwoływać posiedzenia, w których udział będą brali tylko członkowie Komisji Wspólnej, o których mowa w art. 24 ust. 1 pkt 1. Stanowisko jest niezwłocznie przekazywane pozostałym członkom Komisji Wspólnej przez współprzewodniczącego.

(5) Stanowiska, o których mowa w ust. 3 i 4, a także opinie, o których mowa w art. 23 ust. 2, są przekazywane Prezesowi Rady Ministrów i Radzie Ministrów.

(6) Szczegółowy regulamin pracy Komisji Wspólnej określa, w drodze zarządzenia, Prezes Rady Ministrów.

Art. 29.

(1) Członkom Komisji Wspólnej nie przysługuje wynagrodzenie z tytułu członkostwa w Komisji Wspólnej.

(2) Przedstawicielom organizacji mniejszości oraz społeczności posługującej się językiem, o którym mowa w art. 19, uczestniczącym w pracach Komisji Wspólnej przysługuje zwrot kosztów podróży i noclegów, na zasadach określonych w przepisach dotyczących wysokości oraz warunków ustalania należności przysługujących pracownikowi zatrudnionemu w państwowej lub samorządowej jednostce sfery budżetowej z tytułu podróży służbowej na obszarze kraju, wydanych na podstawie art. 77²² § 2 Kodeksu pracy.

Art. 30.

(1) Obsługę organizacyjno-techniczną prac Komisji Wspólnej zapewnia urząd obsługujący ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych.

(2) Koszty funkcjonowania Komisji Wspólnej są pokrywane z budżetu państwa z części, której dysponentem jest minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych.

²² Zmiany wymienionej ustawy zostały ogłoszone w Dz.U. z 2000r. Nr 29, poz. 358, z 2002 r. Nr 144, poz. 1204, z 2003r. Nr 73, poz. 661 oraz z 2004 r. Nr 92, poz. 878.

Art. 31.

(1) Organy administracji rządowej, samorządu terytorialnego oraz organizacje mniejszości oraz społeczności posługującej się językiem, o którym mowa w art. 19, są obowiązane do przekazywania ministrowi właściwemu do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych, na jego wniosek, informacji pozostających w zakresie działania tych organów lub organizacji i dotyczących sytuacji mniejszości oraz społeczności posługującej się językiem, o którym mowa w art. 19, lub realizacji zadań na rzecz mniejszości lub zachowania i rozwoju języka, o którym mowa w art. 19.

(2) Zakres informacji, o których mowa w ust. 1, podlega zaopiniowaniu przez Komisję Wspólną.

(3) Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych przygotowuje, nie rzadziej niż raz na dwa lata, raport dotyczący sytuacji mniejszości w Rzeczypospolitej Polskiej, uwzględniając informacje, o których mowa w ust. 1. Raport podlega zaopiniowaniu przez Komisję Wspólną.

(4) Raport wraz z opinią, o których mowa w ust. 3, są przekazywane Radzie Ministrów, a następnie – po zatwierdzeniu raportu przez Radę Ministrów – publikowane przez ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych w formie elektronicznej.

Art. 32.

Organy administracji rządowej, samorządu terytorialnego oraz organizacje pozarządowe są obowiązane do przekazywania wojewodzie, w celu zaopiniowania, dokumentów dotyczących programów realizowanych z ich udziałem na terenie województwa, dotyczących mniejszości lub zachowania i rozwoju języka, o którym mowa w art. 19, finansowanych w całości lub części ze środków publicznych.

ROZDZIAŁ 6

Zmiany w przepisach obowiązujących, przepisy przejściowe i końcowe

Art. 33.

(uchylony)²³

²³ Zmiany tekstu jednolitego wymienionej ustawy zostały ogłoszone w Dz.U. z 2002 r. Nr 23, poz. 220, Nr 62, poz. 558, Nr 113, poz. 984, Nr 153, poz. 1271 i Nr 214, poz. 1806, z 2003 r.

Art. 34.

W ustawie z dnia 7 września 1991 r. o systemie oświaty (Dz. U. z 2004 r. Nr 256, poz. 2572, Nr 273, poz. 2703 i Nr 281, poz. 2781) w art. 13 dodaje się ust. 6 i 7 w brzmieniu:

„(6) Minister właściwy do spraw oświaty i wychowania podejmuje działania w celu zapewnienia możliwości kształcenia nauczycieli oraz dostępu do podręczników na potrzeby szkół i placówek publicznych, o których mowa w ust. 1.

(7) Minister właściwy do spraw oświaty i wychowania podejmuje działania w celu popularyzacji wiedzy o historii, kulturze, języku i o tradycjach religijnych mniejszości narodowych i etnicznych oraz społeczności posługującej się językiem regionalnym.”.

Art. 35.

W ustawie z dnia 29 grudnia 1992 r. o radiofonii i telewizji (Dz.U. z 2004 r. Nr 253, poz. 2531) wprowadza się następujące zmiany:

a. w art. 21:

i. w ust. 1a dodaje się pkt 8a w brzmieniu:

„(8a) uwzględnianie potrzeb mniejszości narodowych i etnicznych oraz społeczności posługującej się językiem regionalnym, w tym emitowanie programów informacyjnych w językach mniejszości narodowych i etnicznych oraz języku regionalnym.”,

i. w ust. 2 uchyla się pkt 9;

1. w art. 30 dodaje się ust. 4a w brzmieniu:

„(4a) Powołując rady programowe oddziałów emitujących programy w językach mniejszości narodowych i etnicznych oraz języku regionalnym dyrektorzy oddziałów uwzględnią kandydatów zgłaszanych przez organizacje społeczne mniejszości narodowych i etnicznych oraz społeczności posługującej się językiem regionalnym.”.

Art. 36.

W ustawie z dnia 4 września 1997 r. o działach administracji rządowej (Dz. U. z 2003 r. Nr 159, poz. 1548, z późn. zm.)²⁴ [5] wprowadza się następujące zmiany:

Nr 80, poz. 717 i Nr 162, poz. 1568 oraz z 2004 r. Nr 102, poz. 1055, Nr 116, poz. 1203 i Nr 167, poz. 1759.

²⁴ Zmiany tekstu jednolitego wymienionej ustawy zostały ogłoszone w Dz.U. z 2003 r. Nr 162, poz. 1568 i Nr 190, poz. 1864 oraz z 2004 r. Nr 19, poz. 177, Nr 69, poz. 624, Nr 91, poz. 873, Nr 96, poz. 959, Nr 116, poz. 1206, Nr 238, poz. 2390 i Nr 240, poz. 2408 i Nr 273, poz. 2702.

a. w art. 5 pkt 25 otrzymuje brzmienie:

„(25) wyznania religijne oraz mniejszości narodowe i etniczne”;

2. art. 30 otrzymuje brzmienie:

„Art. 30. Dział wyznania religijne oraz mniejszości narodowe i etniczne obejmuje sprawy:

a. stosunków Państwa z Kościołem Katolickim oraz innymi kościołami i związkami wyznaniowymi,

b. związane z zachowaniem i rozwojem tożsamości kulturowej mniejszości narodowych i etnicznych oraz zachowaniem i rozwojem języka regionalnego.”.

Art. 37.

W ustawie z dnia 7 października 1999 r. o języku polskim (Dz. U. Nr 90, poz. 999, z późn. zm.)²⁵ w art. 2 pkt 2 otrzymuje brzmienie:

„2) praw mniejszości narodowych i etnicznych oraz społeczności posługującej się językiem regionalnym.”.

Art. 38.

W ustawie z dnia 29 sierpnia 2003 r. o urzędowych nazwach miejscowości i obiektów fizjograficznych (Dz.U. Nr 166, poz. 1612) w art. 5 w ust. 1 po pkt 5 dodaje się pkt 6 w brzmieniu:

„6) sekretarz Komisji Wspólnej Rządu i Mniejszości Narodowych i Etnicznych, utworzonej na podstawie przepisu art. 23 ustawy z dnia 6 stycznia 2005 r. o mniejszościach narodowych i etnicznych oraz o języku regionalnym (Dz.U. Nr 17, poz. 141).”.

Art. 39.

Minister właściwy do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych zawiadomi organy, o których mowa w art. 24 ust. 1 pkt 1 oraz organizacje mniejszości oraz społeczności posługującej się językiem, o którym mowa w art. 19, o zamiarze wystąpienia do Prezesa Rady Ministrów z wnioskiem, o którym mowa w art. 24 ust. 2, w terminie 60 dni od dnia ogłoszenia ustawy.

Art. 40.

Do spraw objętych przepisami ustawy, które uregulowane są postanowieniami obowiązujących Rzeczpospolitą Polską ratyfikowanych za

²⁵ Zmiany wymienionej ustawy zostały ogłoszone w Dz.U. z 2000r. Nr 29, poz. 358, z 2002 r. Nr 144, poz. 1204, z 2003 r. Nr 73, poz. 661 oraz z 2004 r. Nr 92, poz. 878.

uprzednią zgodą wyrażoną w ustawie umów międzynarodowych stosuje się postanowienia tych umów.

Art. 41.

Pracownicy urzędu obsługującego ministra właściwego do spraw kultury i ochrony dziedzictwa narodowego zapewniający do dnia ogłoszenia ustawy realizację zadań z zakresu praw mniejszości narodowych i etnicznych, stają się z tym dniem pracownikami urzędu obsługującego ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych. Przepisy art. 23²⁶ Kodeksu pracy stosuje się odpowiednio.

Art. 42.

(1) Mienie urzędu obsługującego ministra właściwego do spraw kultury i ochrony dziedzictwa narodowego, służące realizacji zadań z zakresu praw mniejszości staje się z dniem ogłoszenia ustawy mieniem urzędu obsługującego ministra właściwego do spraw wyznań religijnych oraz mniejszości narodowych i etnicznych.

(2) Środki finansowe ujęte w części 24 budżetu państwa kultura i ochrona dziedzictwa narodowego, przeznaczone na realizację zadań z zakresu praw mniejszości oraz na wspieranie wydawania czasopism w języku regionalnym zostają przesunięte z dniem ogłoszenia ustawy do części 43 budżetu państwa wyznania religijne oraz mniejszości narodowe i etniczne.

Art. 43.

Ustawa wchodzi w życie po upływie 3 miesięcy od dnia ogłoszenia z wyjątkiem art. 36, art. 39, art. 41 i art. 42, które wchodzi w życie z dniem ogłoszenia.

²⁶ Zmiany tekstu jednolitego wymienionej ustawy zostały ogłoszone w Dz.U. z 2002r. Nr 23, poz. 220, Nr 62, poz. 558, Nr 113, poz. 984, Nr 153, poz. 1271 i Nr 214, poz. 1806, z 2003r. Nr 80, poz. 717 i Nr 162, poz. 1568 oraz z 2004r. Nr 102, poz. 1055, Nr 116, poz. 1203 i Nr 167, poz. 1759.

Lista niektórych instytucji i organizacji zajmujących się m.in. problematyką ochrony, rozwoju i utrzymywania języków narodowych i etnicznych

- (1) Academia Sinica (Taiwan)
- (2) Accademia della Crusca (Włochy)
- (3) Académie internationale de droit linguistique (Kanada)
- (4) AGAL (Associação Galega da Língua, Hiszpania)
- (5) Aguman Capampangan Northwest USA (promotion of Kapampangan culture and language in the Philippines, USA)
- (6) Áha Pūnana Leo (USA)
- (7) AHLE (Asociación de Historia de la Lengua Española, Hiszpania)
- (8) AITI (Associazione Italiana Traduttori e Interpreti, Włochy)
- (9) Alaska Native Language Center (USA)
- (10) Algemene Vereniging voor Taalwetenschap (Holandia)
- (11) ALLEF (Apprendre Les Langues En Famille, Francja)
- (12) American Anthropological Association (USA)
- (13) American Association for Applied Linguistics (USA)
- (14) American Association of Colleges for Teacher Education (USA)
- (15) American Association of Teachers of Arabic (USA)
- (16) American Dialect Society (USA)
- (17) American Ethnological Society (USA)
- (18) American Indian Higher Education Consortium (USA)
- (19) American Indian Language Development Institute (USA)
- (20) American Indian Resource Center (USA)
- (21) American Institute of Indian Studies (USA)
- (22) Applied Linguistics Association of Australia (Australia)
- (23) Applied Linguistics Association of New Zealand (Nowa Zelandia)
- (24) Argentine Linguistic Society (Argentyna)
- (25) Arizona Language Education Council (USA)
- (26) Asia Network (USA)

- (27) Asia Research Institute (ChRL)
- (28) Asia Society (USA)
- (29) Asian Cultural Council (USA)
- (30) Asian Studies Association of Australia (Australia)
- (31) Asociación Andaluza de Lingüística General (Hiszpania)
- (32) Asociación Española de Lingüística Aplicada (Hiszpania)
- (33) Asociación Regiomontana de Estudios del Lenguaje (Meksyk)
- (34) Associação Portuguesa de Linguística (Portugalia)
- (35) Association Canadienne de Linguistique (Kanada)
- (36) Association Canadienne d'Éducation de Langue Francaise (Kanada)
- (37) Association des Sciences Cognitives (Francja)
- (38) Association des Sciences du Langage (Francja)
- (39) Association for Asian Studies (USA)
- (40) Association for Austronesian Languages and Linguistics
- (41) Association for Computational Linguistics (USA)
- (42) Association for Computational Phonology (USA)
- (43) Association for French Language Studies (Francja)
- (44) Association for Korean Linguistics (USA)
- (45) Association for Korean Studies in Europe (Francja)
- (46) Association for Linguistic Typology
- (47) Association for Persian Language, Linguistics and Computing (Wielka Brytania)
- (48) Association for Scottish Literary Studies (Wielka Brytania)
- (49) Association for the History of Language (Australia)
- (50) Association Française de Linguistique Appliquée (Francja)
- (51) Association Française des Etudes Chinoises (Francja)
- (52) Association Internationale de Linguistique Appliquée
- (53) Association Internationale de Phonétique (USA)
- (54) Association Noésis (Francja)
- (55) Association of Translators and Interpreters of Ontario (Kanada)
- (56) Association pour le Développement des Études Finno-Ougriennes
- (57) Association pour l'Application des Recommandations Orthographiques (Francja)
- (58) Association pour la Recherche Cognitive (Francja)
- (59) Association Québécoise de la Programmation Neurolinguistique (Kanada)
- (60) Association Recherches Interdisciplinaires en Langues des Signes (Francja)
- (61) ATALA (Association pour le Traitement Automatique des Langues, Francja)
- (62) AUSTRALLEX (Australian Association for Lexicography, Australia)
- (63) Australian Alliance for Languages (Australia)
- (64) Australian Institute for Aboriginal and Torres Strait Islander Studies (Australia)
- (65) Australian Linguistic Society (Australia)
- (66) Australian Speech Science Technology Association (Australia)
- (67) Austronesian Formal Linguistics Association (Kanada)
- (68) Bastigiri Samajik Sansthan (India)

- (69) Berkeley Linguistics Society (USA)
- (70) Berkeley Women and Language Groups (USA)
- (71) British Association for Applied Linguistics (Wielka Brytania)
- (72) Canadian Association of University Teachers of German (Kanada)
- (73) Canadian Linguistics Association (Kanada)
- (74) Cantonese Language Association (USA)
- (75) CEDAR (Center of Excellence for Document Analysis and Recognition, USA)
- (76) Celtic Studies Association of North America (USA)
- (77) CelSul (Círculo de Estudos Lingüísticos do Sul, Brazylia)
- (78) Center for Applied Linguistics (USA)
- (79) Center for Global Partnership (Japonia)
- (80) Center for Language, Interaction and Culture (USA)
- (81) Center for Multilingual, Multicultural Research (USA)
- (82) Center for Research and Documentation on World Language Problems (USA)
- (83) Center for Research in Language (USA)
- (84) Center for Sprogteknologi (Dania)
- (85) Central Institute of Indian Languages (Indie)
- (86) Centre de Recherche sur le Plurilinguisme (Bruksela)
- (87) Centre d' Études Linguistiques pour l'Europe
- (88) Centre for Applied Language Studies (Finlandia)
- (89) Centre for Cognitive Science (Dania)
- (90) Centre for Cognitive Science (Wielka Brytania)
- (91) Centre for Linguistics (Australia)
- (92) Centre for Research in Language Education (Wielka Brytania)
- (93) Centre for Research in Linguistics (Francja)
- (94) Centre for Research on Language Change (Australia)
- (95) Centre for Speech Technology Research (Wielka Brytania)
- (96) Centre International de Recherche en Aménagement Linguistique (Kanada)
- (97) Centre Pluridisciplinaire de Sémiolinguistique Textuelle (Francja)
- (98) Centro Cultural Mallorqui (Baleary)
- (99) Centro de Estudos Comunicação e Linguagens (Portugalia)
- (100) Centro de Investigacións Lingüísticas e Literarias "Ramón Piñero" (Hiszpania)
- (101) Centro de Investigación y Atención Lingüística (Wenezuela)
- (102) Centro de Investigacion y Documentacion de la Costa Atlantica (Nikaragua)
- (103) Centro de Lingüística Aplicada (Kuba)
- (104) Centro de Linguística da Universidade de Lisboa (Portugalia)
- (105) Centro Lingüístico de la Universidad de València (Hiszpania)
- (106) Cercle Belge de Linguistique (Belgia)
- (107) Chicago Linguistic Society (USA)
- (108) CHILDES (Child Language Data Exchange System, USA)
- (109) CIEMEN (Escarre International Center for Ethnic and National Minorities, Hiszpania)
- (110) CILA (Centro Interdisciplinario del Lenguaje y Aprendizaje, Argentyna)
- (111) China Institute (USA)

- (112) Chinese Language Teachers Association (USA)
- (113) Chinese Studies Association of Australia (Australia)
- (114) CIOS (Communication Institute for Online Scholarship, USA)
- (115) CIRAL (Centre International de Recherche en Aménagement Linguistique, Kanada)
- (116) Colectiu Jovenil d'Associacions Valencianistes (Hiszpania)
- (117) Colectiu Nacionaliste Valencia (Hiszpania)
- (118) Computational Linguistics and Language Technology for Real Life Applications (Niemcy)
- (119) Computational Linguistics in the Netherlands (Holandia)
- (120) Comunidade dos Países de Língua Portuguesa (Portugalia)
- (121) Confédération Française pour le Développement de la Linguistique Appliquée (Francja)
- (122) Conseil de la Langue Française de la Communauté Française de Belgique (Belgia)
- (123) Conseil de la Langue Française du Québec (Kanada)
- (124) Conseil International de la Langue Française (Francja)
- (125) Contrastive Linguistics and Language Typology Research Network (Belgia)
- (126) Corpus of Written British Creole (Wielka Brytania)
- (127) Crioulística (Brazylia)
- (128) Cymdeithas yr Iaith Gymraeg (The Welsh Language Society)
- (129) Danish Association of State-Authorized Translators and Interpreters (Dania)
- (130) De Algemene Vereniging voor Taalwetenschap (Holandia)
- (131) Délégation à la Langue Française de France (Francja)
- (132) Deutsche Gesellschaft für Sprachwissenschaft (Niemcy)
- (133) Deutscher Katalanistenverband (Niemcy)
- (134) Dictionary Society of North America (Kanada)
- (135) DoBeS (Dokumentation Bedrohter Sprachen, Documentation of Endangered Languages, Niemcy)
- (136) East-West Center (ChRL)
- (137) Endangered Language Fund (USA)
- (138) Esperantic Studies Foundation (USA)
- (139) European Association for Computer-Assisted Language Learning
- (140) European Association for Japanese Studies
- (141) European Association for Lexicography
- (142) European Association for Logic, Language, and Information
- (143) European Association for Southeast Asian Studies
- (144) European Association of Chinese Linguistics (Francja)
- (145) European Association of Sinological Libraries
- (146) European Bureau for Lesser-Used Languages (Dublin)
- (147) European Centre for Minority Issues (Niemcy)
- (148) European Chapter of the Association for Computational Linguistics
- (149) European Institute for the Media
- (150) European Language Resources Association (ELRA, Luksemburg)

- (151) European Network in Language and Speech
- (152) European Second Language Association
- (153) European Society for General Semantics
- (154) European Speech Communication Association
- (155) Evaluations and Language Resources Distribution Agency (ELDA)
- (156) EAGLES (Expert Advisory Group on Language Engineering Standards, Komisja Europejska)
- (157) FCAAO (Federation of Cultural Associations of the Oriental Aragon, Hiszpania)
- (158) Far Eastern English Language Teachers' Association (Rosja)
- (159) FILLA (Front for the Identity of Endangered Languages)
- (160) FIPLV (Fédération Internationale des Professeurs de Langues Vivantes, Francja)
- (161) Florida Artificial Intelligence Research Society (USA)
- (162) Forum for Germanic Language Studies (Wielka Brytania)
- (163) Forum for Iranian Linguistics (USA)
- (164) Foundation for Endangered Languages (Wielka Brytania)
- (165) FraCaS Project (A Framework for Computational Semantics, Wielka Brytania)
- (166) French Cognitive Science Association (Francja)
- (167) Fukuoka Japan Association for Language Teaching (Japonia)
- (168) Gesellschaft für Linguistische Datenverarbeitung (Niemcy)
- (169) Gesellschaft für Semantik (Niemcy)
- (170) Gesellschaft für Terminologie und Wissenstransfer (Niemcy)
- (171) GLOW (Generative Linguistics in the Old World, Europa)
- (172) Graduate Students in Linguistics (USA)
- (173) Greek Applied Linguistics Association (Grecja)
- (174) Groupe de Recherche sur la Référence Temporelle (Szwajcaria)
- (175) Grup Català de Sociolingüística (Hiszpania)
- (176) Grupo de Gramática Teórica (Hiszpania)
- (177) Grupo de Língua Natural (Portugalia)
- (178) Grupo de Sintaxe do Español (Hiszpania)
- (179) Haskins Laboratories (USA)
- (180) High Desert Linguistic Society (USA)
- (181) Holland Institute of Generative Linguistics (Holandia)
- (182) Human Communication Research Centre (Wielka Brytania)
- (183) IADA (International Association for Dialogue Analysis)
- (184) IASS-AIS (International Association for Semiotic Studies – Association Internationale de Sémiotique)
- (185) IAUPE (International Association of the University Professors of English)
- (186) Information Technology Research Institute (Wielka Brytania)
- (187) Institut für Deutsche Gebärdensprache (Niemcy)
- (188) Institut für Deutsche Sprache (Niemcy)
- (189) Institut für Internationale Kommunikation und Auswärtige Kulturarbeit e. V. (Niemcy)

- (190) Institut für Maschinelle Sprachverarbeitung (Niemcy)
- (191) Instituto da Lingua Galega (Santiago de Compostela, Hiszpania)
- (192) Institut de Sociolinguística Catalana (Barcelona)
- (193) Institute for Language, Speech, and Hearing (Wielka Brytania)
- (194) Institut für Niederdeutsche Sprache (Brema)
- (195) Institut für Sorabistik (Lipsk)
- (196) Institut National de la Langue Français (Francja)
- (197) Institute of Asian Affairs (Niemcy)
- (198) Institute of Oriental Studies (Japonia)
- (199) Instituto Cervantes (Hiszpania)
- (200) International Association of Applied Linguistics
- (201) International Association of Chinese Linguistics (Hong Kong, Chiny)
- (202) International Association of Conference Interpreters
- (203) International Association for Translation and Intercultural Studies
- (204) International Commission on Second Language Acquisition
- (205) International Communication Association (USA)
- (206) International Institute for Asian Studies (Holandia)
- (207) International Lexical-Functional Grammar Association
- (208) International Phonetic Association (Wielka Brytania)
- (209) International Pragmatics Association (Belgia)
- (210) International Quantitative Linguistics Association
- (211) International Sign Linguistics Association
- (212) International Society for Dialectology and Geolinguistics
- (213) International Sociolinguistic Society in Sofia (Bułgaria)
- (214) International Speech Communication Association (Francja)
- (215) Irvine Linguistics Student Association (USA)
- (216) Israel Association for Theoretical Linguistics (Izrael)
- (217) Japan Studies Association of Canada (Kanada)
- (218) Kapampangan Cultural Heritage Society (USA)
- (219) Kotikielen Seura (Finlandia)
- (220) Kurdish Language Technology Initiative (Wielka Brytania)
- (221) Lancaster University Centre for Computer Corpus Research on Language (Wielka Brytania)
- (222) Language Information Sciences Research Centre (Hong Kong, Chiny)
- (223) Language Origins Society (Holandia)
- (224) Language Policy Research Center (Izrael)
- (225) LASSO (Linguistic Association of the Southwest, USA)
- (226) Le Réseau International de Néologie et de Terminologie (Francja)
- (227) Lingsoft Language Solutions (Finlandia)
- (228) Lingua: The Linguistic Circle of the University of Texas at Arlington (USA)
- (229) Linguistic Association of Canada and the United States (LACUS)
- (230) Linguistic Data Consortium (USA)
- (231) Linguistic Iconism Association
- (232) Linguistic Society of America (USA)

- (233) Linguistic Society of Hong Kong (Chiny)
- (234) Linguistic Society of Korea (Korea Południowa)
- (235) Linguistic Society of New Zealand (Nowa Zelandia)
- (236) Linguistic Society of the Philippines (Filipiny)
- (237) L'Institut d'Estudis Catalans (Hiszpania)
- (238) L'Observatoire Linguistique (Francja)
- (239) Lo Rat Penat (Hiszpania)
- (240) Metaphor and Metonymy Group (Wielka Brytania)
- (241) Modern Language Association (USA)
- (242) National Association of Professors of Hebrew (USA)
- (243) National Council for Languages and International Studies (USA)
- (244) National Council of Organizations of Less Commonly Taught Languages (USA)
- (245) National Foreign Language Center (USA)
- (246) National Languages and Literacy Institute of Australia (Australia)
- (247) NELS (North Eastern Linguistic Society, USA)
- (248) New York Society for General Semantics (USA)
- (249) New Zealand Association of Language Teachers (Nowa Zelandia)
- (250) NoDaLine (Nordisk Data Lingvistik Nettverk)
- (251) Office de la Langue Française du Québec (Kanada)
- (252) Organiza Societo de Internaciaj Esperanto-Konferencoj (Francja)
- (253) PALA (The Poetics and Linguistics Association, Wielka Brytania)
- (254) Polskie Towarzystwo Dysleksji (Polska)
- (255) Polskie Towarzystwo Językoznawcze (Polska)
- (256) Polskie Towarzystwo Kulturalne (Australia)
- (257) Polskie Towarzystwo Kulturalne im. Fryderyka Chopina w Rijece (Chorwacja)
- (258) Polskie Towarzystwo Kulturalne im. Mikołaja Kopernika w Zagrzebiu (Chorwacja)
- (259) Polskie Towarzystwo Lingwistyki Stosowanej (Polska)
- (260) Polskie Towarzystwo Neofilologiczne (Polska)
- (261) Polskie Towarzystwo Rusycystyczne (Polska)
- (262) Polskie Towarzystwo Semiotyczne (Polska)
- (263) Rada Języka Polskiego (Polska)
- (264) Research Centre Wales (Bangor)
- (265) SCATIA (Southern California Translators and Interpreters Association, USA)
- (266) SECOL (Southeastern Conference on Linguistics, USA)
- (267) Service de la Langue Français de la Communauté Française de Belgique (Belgia)
- (268) SIL (Summer Institute of Linguistics, USA)
- (269) Sociedad Argentina de Linguística (Argentyna)
- (270) Sociedad Española de Lingüística (Hiszpania)
- (271) Società di Linguistica Italiana (Włochy)
- (272) Società Internazionale di Linguistica e Filologia Italiana (Włochy)
- (273) Societas Linguistica Europaea

- (274) Society for Endangered Languages (Niemcy)
- (275) Society for Endangered Languages of Sub-Saharan Africa (Afryka Południowa)
- (276) Society for Germanic Philology (Niemcy)
- (277) Society for Linguistic Anthropology (USA)
- (278) Society for Mediaeval Languages and Linguistics (USA)
- (279) Society for the Study of the Indigenous Languages of the Americas (USA)
- (280) South Asia Language Resource Center (USA)
- (281) South Asian Language Teachers Association (USA)
- (282) SPEECON (Speech Data for Consumer Devices, Europa)
- (283) Sprachwissenschaftliches Seminar (Niemcy)
- (284) Studienkreis Geschichte der Sprachwissenschaft (Niemcy)
- (285) Suomalais-Ugrilainen Seura (The Finno-Ugrian Society, Finlandia)
- (286) Terralingua: Partnership for Linguistic and Biological Diversity
- (287) Texas Linguistic Society (USA)
- (288) The Academy of the Catalan Language (Barcelona)
- (289) The American Council of Learned Societies (USA)
- (290) The British Council (Wielka Brytania)
- (291) The Consortium for Language Policy and Planning (USA)
- (292) The Elvish Linguistic Fellowship
- (293) The English Linguistic Society of Japan (Japonia)
- (294) The European Parliament (EBLUL, The European Bureau for Lesser-Used Languages, Bruksela)
- (295) The European Society for the Study of English
- (296) The Japan Association for Language Teaching (Japonia)
- (297) The Japan Association of College English Teachers (Japonia)
- (298) The Japan Foundation (Japonia)
- (299) The Klingon Language Institute (USA)
- (300) The Linguistic Association of Finland (Finlandia)
- (301) The Linguistics Association of Great Britain (Wielka Brytania)
- (302) The Linguistics Society of Southern Africa (Republika Południowej Afryki)
- (303) The Linguist List (USA)
- (304) The Microsoft Research Institute's Language Technology Group (USA)
- (305) The National East Asian Languages Resource Center (USA)
- (306) The National Education Association (USA)
- (307) The National Language and Literacy Institute of Australia (Australia)
- (308) The Nordic Institute of Asian Studies (Szwecja)
- (309) The Paul Ariste Centre for Indigenous Finno-Ugric Peoples of the University of Tartu (Estonia)
- (310) The Slavic Linguistics Society (USA)
- (311) The Society of Modern Grammar (Korea Południowa)
- (312) The Southern African Applied Linguistics Association (Republika Południowej Afryki)
- (313) The Thomas Rivera Policy Institute (USA)

- (314) The Welsh Language Board (Wielka Brytania)
- (315) The Yuen Ren Society Treasury of Chinese Dialect Data (USA)
- (316) Towarzystwo Kultury Języka (Polska)
- (317) Towarzystwo Miłośników Języka Polskiego (Polska)
- (318) Turkish Language Association (Turcja)
- (319) TUTTITALIA (Włochy)
- (320) UNESCO (United Nations Educational, Scientific and Cultural Organization)
- (321) VALS-ASLA (Vereinigung für Angewandte Linguistik in der Schweiz – Association Suisse de Linguistique Appliquée, Szwajcaria)
- (322) Verein Deutsche Sprache (Niemcy)
- (323) Vietnam Studies Association of Australia (Australia)
- (324) West African Linguistic Society (USA)
- (325) Western Australian Aboriginal Languages Association (Australia)

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African Affairs
African Studies
AILA Bulletin
American Anthropologist
American Ethnologist
American Indian Culture and Research Journal
American Mercury
American Speech
Annals of the American Political and Social Sciences
Annual Review of Anthropology
Annual Review of Applied Linguistics
Anthropological Linguistics
Anthropology and Education Quarterly
Anthropology Today
Anthropos
Applied Linguistics
Applied Psycholinguistics
ARAL
ASIEN
Australian Journal of Linguistics
Australian Review of Applied Linguistics
Babel
Bikmaus
Bilingual Research Journal
British Journal of the Sociology of Education
Cakalele: Maluku Research Journal
Canadian Journal of Native Education

Central Asiatic Journal
 Communication News
 Comparative Studies in Society and History
 Constellations
 Critique of Anthropology
 Cultural Anthropology
 Cultural Studies
 Cultural Survival Quarterly
 Current Affairs Bulletin
 Current Anthropology
 Current Issues in Language and Society
 Current Issues in Language Planning
 Current Trends in Linguistics
 Diachronica
 Diogenes
 Directions
 Early Childhood Research Quarterly
 Edinburgh Law Review
 ELT Journal
 English Today
 English World-Wide
 Essex Research Reports in Linguistics
 Ethnic and Racial Studies
 Ethnology
 Ethos
 European Journal of Communication
 European Law Review
 Evolutionary Ecology Research
 Folia Linguistica
 Foreign Language Annals
 Foreign Policy
 Futures
 Germanistische Mitteilungen
 History of the Human Sciences
 Human Organization
 Human Studies
 India International Centre Quarterly
 International and Comparative Law Quarterly
 International Journal of American Linguistics
 International Journal of Bilingual Education and Bilingualism
 International Journal of Bilingualism
 International Journal of the Sociology of Language
 International Migration Review
 International Political Science Review

IRAL
 International Review of Education
 Iranian Studies
 Journal of American Indian Education
 Journal of California and Great Basin Anthropology
 Journal of Ethnobiology
 Journal of Iberian and Latin American Studies
 Journal of Intensive English Studies
 Journal of Language, Identity and Education
 Journal of Linguistic Anthropology
 Journal of Linguistics
 Journal of Multilingual and Multicultural Development
 Journal of Navajo Education
 Journal of Pidgin and Creole Languages
 Journal of Psycholinguistic Research
 Journal of Social Issues
 Journal of Sociolinguistics
 Journal of the National Association for Bilingual Education
 Kansas Working Papers in Linguistics
 Kyklos
 La Linguistique
 Langscape
 Language
 Language and Communication
 Language and Education
 Language and Linguistics in Melanesia
 Language and Literature
 Language, Culture, and Curriculum
 Language in Society
 Language International
 Language Learning and Teaching
 Language Learning and Technology
 Language Learning Journal
 Language Policy
 Language Problems and Language Planning
 Language Quarterly
 Language Sciences
 Language Variation and Change
 Languages and Linguistics
 L'Histoire Epistemologie Langage
 Lingua
 Lingua Posnaniensis
 Linguistic and Oriental Studies from Poznań
 Linguistic Communication

Linguistics
 Limits
 Mankind
 Media, Culture and Society
 Medical Anthropology Quarterly
 Melbourne Studies in Education
 Mercator Linguistic Rights and Legislation
 MIT Working Papers in Linguistics
 Modern Language Journal
 Multilingua
 National Geographic
 Natural Language and Linguistic Theory
 Nature
 New Zealand Journal of Educational Studies
 Notes on Linguistics
 Occasional Papers in Language and Literature
 Oceania
 Oceanic Linguistics
 Pacific Linguistics
 Pan – Asiatic Linguistics
 Papers in Pidgin and Creole Linguistics
 People and Place
 Philippine Journal of Linguistics
 Philosophy and Public Affairs
 Practical Anthropology
 Pragmatics
 Proceedings of the Berkeley Linguistic Society
 Science News
 Scientific American
 Scottish Affairs
 Scottish Educational Review
 Scottish Gaelic Studies
 Scottish Language
 Scripta Neophilologica Posnaniensia
 Second Language Research
 Slavic and East European Journal
 Social Alternatives
 Social Anthropology
 Social Research
 Social Semiotics
 Sociolinguistica
 Sociology and Social Research
 Sociology of Education
 Southwest Journal of Linguistics

Spanish in Context
Sprache und Herrschaft
Sprachtypologie und Universalienforschung
Studia Anglica Posnaniensia
Studia Niemcoznawcze
Studies in Second Language Acquisition
Studies in Language Learning
Studies in the Linguistic Sciences
Suvremena Lingvistika
Te Reo
Terralingua Newsletter
TESOL – Applied Linguistics Forum
TESOL Quarterly
The Aboriginal Child at School
The American Prospect
The Chronicle of Higher Education
The Digest of Australian Languages and Literacy Issues
The Futurist
The Information Society
The Public
UNESCO Courier
University of Hawai'i Working Papers in Linguistics
VOX
Wellington Working Papers in Linguistics
Word
World Englishes
Written Language and Literacy
Zeitschrift für Dialektologie und Linguistik
Zeitschrift für Balkanologie