

ELEN GENERAL ASSEMBLY RESOLUTION ON THE TEACHING OF THE CATALAN LANGUAGE IN NORTHERN CATALONIA

Proposed by Plataforma per la Llengua

Saturday 3rd November 2018



L'ONG del català

In 2017, only 25% of students enrolled in schools in northern Catalonia were taught Catalan. Among the children who were able to receive Catalan courses, 5% did in immersive or bilingual schools and 20% studied the language between thirty minutes and two hours a week. These percentages contrast with the will of 76% of North-Catalan citizens who are favourable to the introduction of a bilingual education system, according to the last survey on language usage.

The current situation shows an obvious lack of linguistic sensitivity on the side of the French government in northern Catalan education and demands an immediate increase in the presence of Catalan in classrooms. Plataforma per la Llengua also reminds the French government that article 75.1 of the Constitution states that "regional languages belong to the heritage of France". Thus, the government is compelled to preserve and guarantee this linguistic heritage and the only way to do so is by teaching the Catalan language and the other non-official languages of France at school.

This circumstance also harms the future generations of Northern Catalonia. Widespread learning of Catalan would offer new professional and economic opportunities both to the future workers and the companies of the territory, taking into account the territorial proximity and the economic and commercial ties existing with the southern Catalan territory.

Therefore, ELEN calls on the French Government:

-To ensure that all public schools in northern Catalonia teach enough hours of Catalan so as to guarantee that at the end of compulsory education northern Catalan students can be fluent in Catalan.

-To ratify the European Charter for Regional or Minority languages to ensure basic language rights to all non-official languages in France, including its fundamental teaching in the educational system.

This resolution will be forwarded to the French government and the Council of Europe.

ELEN GENERAL ASSEMBLY RESOLUTION ON THE RECIPROCITY OF AUDIOVISUAL MEDIA SIGNALS IN THE CATALAN-SPEAKING AREA

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The inexistent reciprocity or, in some cases, the partial reciprocity of radio and television broadcasts in Catalan between the different territories of the Catalan-speaking area represents a frontal attack on the linguistic rights of more than 10 million European citizens. This unwarranted restriction on the reception of audio-visual media is a consequence of the continued disregard of the Spanish, French and Italian States towards the European Charter for Regional or Minority Languages (CELRoM), despite being signed by all three States and ratified by Spain. In addition, all of the three states breach article 3.1 of Directive 2010/13/EC regulating the freedom of movement of audio-visual broadcasts in the European Union, which states that “member States shall guarantee freedom of reception and shall not hinder retransmissions in their territory of audio visual communication services from other Member States for reasons inherent in the fields coordinated by this Directive”. In addition, it should be reminded that point 11 of the Recommendations of Oslo on language rights of national minorities issued by the OSCE also recalls to its member States that “media originating from abroad shall not be unduly restricted”.

Even though this situation takes place in every territory of the Catalan-speaking area, including the existence of internal limitations to the reception of audio-visual content between Catalan-speaking regions within Spain, the situation is especially sensitive for the city of l’Alguer, which is the only place in the island of Sardinia where Catalan is spoken. The isolation of this town from the rest of the Catalan-speaking area requires action in all possible fields in order to preserve the language from disappearing. For this purpose, in the framework of the new Law on Languages of Sardinia, Plataforma per la Llengua has recently contributed to the recognition of Catalan at school and in the local administration.

Nevertheless, the citizens of l’Alguer are not able to receive any audio-visual broadcast in Catalan. Aside from the fact that there is no local TV or radio station that can offer this service, the main problem is that neither of the Catalan-speaking audio-visual corporations that broadcast from Catalonia, Valencia and the Balearic Islands can reach the territory of l’Alguer. Therefore, the population of l’Alguer does not have the opportunity to watch audio-visual content in Catalan. This fact undermines the prestige of the Catalan language, especially among young people who are to preserve the language for the generations to come. Taking into account that l’Alguer is isolated from the other Catalan-speaking territories, this is a critical problem that needs to be tackled.

With regards to the exposed problem, ELEN calls:

-On the Spanish and Italian governments to sign an agreement that allows setting up the technical conditions to make the reception of audio-visual contents in Catalan in l’Alguer possible.

-On the Spanish and French governments to sign a similar agreement in order to guarantee that audio-visual contents in Catalan can be watched in all of northern Catalonia, where certain areas do not receive the signal.

-On the Spanish government to prevent any obstacle to the reception of Catalan-speaking audio-visual signals within its borders, allowing all public broadcasting stations of every Catalan-speaking region to be watched in other Catalan-speaking regions without limitations.

-On the European Commission, in accordance with its mission to oversee the implementation of EU Law, to call on these States to sign the aforementioned bilateral agreements in order to guarantee that Directive 2010/13/EC on audio-visual media is correctly implemented in the concerned member States.

This situation will be forwarded to the Spanish, French and Italian governments, as well as to the European Commission.

ELEN GENERAL ASSEMBLY RESOLUTION

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The imprisonment of ministers of the Catalan government and the presidents of the two widest civil society organizations is a blatant violation of human rights recognized in the core international treaties ratified by Spain in this matter, including the International Covenant on Civil and Political Rights, the European Convention on Human Rights and the values of liberty and democracy enshrined in article 2 of the Treaty on the European Union. The charges of rebellion against these people do not make any sense due to the fact that no violence was used in the actions of the Catalan government to organize the self-determination referendum which was held on October 1st 2017, nor the civil society organizations and the citizens that took part in the voting and in demonstrations used violence at any point. This fact has been recognized by judicial bodies of several European States (Germany, United Kingdom, Switzerland and Belgium), which have established that there is no legal basis for prosecution against exiled politicians on these grounds. Thus, it is clear that the nine people whose freedom is denied are in prison for political reasons only.

In addition to this violation of basic human rights, the political prisoners who will stand trial at the beginning of 2019 will not be allowed to use Catalan because the Supreme Court is located in Madrid. The Spanish Law on the Judiciary does not recognize the possibility of using languages other than Spanish in procedures held before judicial bodies located outside autonomous regions where other languages hold official status along Spanish, thus undermining the right of those accused to the best possible self-defence and proving that Spain does not recognize the same linguistic rights other democratic states do recognize to language communities having similar dimensions as those of Catalan, like Belgium, Finland, Switzerland or Canada. Besides, this view has been repeatedly upheld by the Committee of Experts of the European Charter for Regional or Minority Languages, which has stated in its last reports that Spain does not honour its commitments in the Charter with regards to language rights in the judiciary. The right to use a language like Catalan before court has also been endorsed by the Organization for Security and Cooperation in Europe in its Oslo Recommendations on the linguistic rights of national minorities.

The permanent persecution does not only apply to the political prisoners and the exiles, but also to more than seven-hundred mayors who are being prosecuted, as well as activists and artists only because of advocating for Catalan independence. For instance, several militants of the Republic Defense Committees (CDR) have been charged on terrorism for taking part in protests which are deemed legitimate in the Spanish legal order, such as road cuts in the framework of a general strike, and rap singers have been charged with crown defamation and apology of terrorism for the content of their songs. One activist and one artist sought exile in Belgium and, after Spain requested their extradition, the Belgian courts stated again that there was no legal basis for prosecuting them.

For these reasons, ELEN calls:

- On Spain:

-To recognize the right of those standing trial to use Catalan and to guarantee that all citizens can speak Catalan in judicial proceedings, since the current lack of recognition to use the language in court is a grave linguistic discrimination.

-To accept the findings of the courts of other European States and cease prosecution of politicians, civil society leaders, activists and artists for politically-motivated reasons, thus freeing the political prisoners and allowing the return of the exiles.

-To respect the right to freedom of speech, thought and assembly.

- On the European Union

As long as Spain does not cease prosecution of citizens for political motives, thus violating the principles of liberty and democracy that article 2 of the Treaty on the European Union impose to all EU member States:

-Launch an impartial inquiry on the independence and neutrality of the Spanish judiciary

-Open infringement proceedings on Spain under article 258 of the Treaty on the Functioning of the European Union for not complying with the values of liberty and democracy set in Article 2 of the Treaty on the European Union.

-For the same reason, consider the suspension of certain rights deriving from the application of the Treaties to Spain, including the voting rights of the representatives of the Spanish government in the Council, as established in article 7 of the Treaty on the European Union.

-To recognize the right to self-determination, as enshrined in article 1 of the United Nations Charter.

This resolution will be forwarded to the Spanish government, the Catalan government, the European Commission, the President of the European Parliament and the President of the European Council.