



munduko hizkuntzen amarauna

## OFFICIAL LANGUAGES AND LANGUAGE DIVERSITY IN THE EUROPEAN UNION

Bojan Brezigar, December 2003

### 1. OFFICIAL AND WORK LANGUAGES: WHICH CHOICE FOR THE EU?

In his paper Miguel Siguan dedicated large part to the very relevant topic about changes in the EU basic policy towards official and work languages. There has been huge discussion indeed about this point and Siguan listed the different options that appeared up to now.

I always try to be pragmatic and practical while discussing this issue. I am Slovenian speaker from Italy and I am extremely happy that Slovenian will become official and work language of the EU since next May 1st. Nevertheless I several time stressed that the translation of the whole 20,000 pages' aquis communautaire into Slovene is waste of time and money. No one will never read most of those texts.

I am firmly convinced that the recognition of all languages should be considered a practical matter, even more than a bureaucratic issue. There are three fields in which all the languages should be given equal value:

Functioning of the European parliament, as the European Election are the highest element of democracy in the continent and the right of election should not be restricted to those who speak some languages.

Information to the citizens, which means all the information which are directed to the EU citizens, should be made available in all languages. This includes all the programs and the legislation directed to the citizens, as well as publications, basic legal texts, etc.

All the citizens should have the right to address in their own language any of the EU institutions or offices, and to get the answer in their language.

But these three points do not include all the documents the EU produces. If the linguistic rights would be limited to these points, the saving could probably make available sufficient amount of money to give the same service in the most important regional or minority languages as well, maybe starting with those linguistic families which do not have any linguistic reference to any of the official/work languages of the EU.

Is all this utopia? Maybe it is, and I will be strongly criticised for such position. But we have to think about the future from the practical rather than the bureaucratic point of view. And sometimes utopias reveal them to be realistic: who would have seriously considered, 15 years ago, the possibility that the Baltic states get the independence and enter the EU? What happened gives us the evidence that people should never more consider impossible any improvement of the nowadays' situation.

## **2. LINGUISTIC DIVERSITY: A CHANCE OR A TRAP?**

Since it first appeared in the EU Charter of Fundamental Rights, the principle of Linguistic diversity has become, in the European Union, the magic formula to promote Regional or Minority languages, without saying it explicitly. Both the European Parliament and the European Commission adopted the new terminology and the distinction between official/work languages and Regional or Minority languages has almost disappeared. The draft EU Constitutional agreement enhanced this principle, cancelled the definition of official/work languages and kept solely Languages of the Treaties to define those languages which "de facto" will become official/work languages in the enlarged European Union.

The draft Constitutional agreement has dealt with the linguistic issue into two main directions. The first direction has been based on already existing principle on prohibition of any discrimination based on languages. The EU accession to the Council of Europe Charter of Human Rights and Fundamental Freedoms includes the EU itself into the general European frame of human rights and entitles the European Court of Human Rights to deal with the EU legislation as well. The Constitutional Treaty has stressed the prohibition of discrimination clause in several articles, but it has not included the domain of languages in the already existing article containing provisions to prevent and combat discrimination: insofar the European Union will not be allowed to implement any policies in this domain.

The second direction has been the abovementioned linguistic diversity, included in the draft Constitutional agreement among the Union's objectives, at the very beginning of the text. The Union has chosen "Unity in Diversity" as its motto, which once more enhances the principle; But we need to go back to the European Commission in order to understand what such motto really means and how the European Union has intended to avoid the obstacle of absolutely negative approach of some Member State towards any possibility of including protection of minorities (or any similar statement) into the Constitutional Treaty.

The minorities have been following this process with huge interest. There has always been a request to fix the respect for and protection of minorities in the Treaty; this formula had been included by the Union into the Laeken document on conditions for membership for new Member States, but in the draft Constitutional agreement it has been left aside. From the other side minority organisations have chosen practical and pragmatic way, to obtain what was realistic and viable. So they supported the principle of linguistic diversity as the way which could entitle them to enter into the Constitutional Treaty through back door.

Now it seems that this happened, and minorities ask themselves whether it is a chance or a trap. Being optimist, chance is my better choice, but we have to work hard to change the chance into reality.

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