Council of Europe

Topic A: The linguistic minorities in the framework of intercultural education

Table of Contents

Article 3 of the Universal Declaration of Linguistic Rights (Barcelona, 1996):

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.

1. Introduction

Many people in Europe believe in the equation of language and nation. Linguistic diversity means to them the diversity of national languages in Europe or the co-existence of language territories in a nation state[1]. They might also think of national minorities within nation states[2]. In fact, these connotations do not describe contemporary linguistic diversity in Europe, as they exclude the large groups of immigrants, the new minorities who contribute to enormous changes in "the linguistic public spheres" of our societies.

The Council of Europe's primary aim is to create a common democratic and legal area throughout the continent, ensuring respect for its fundamental values: human rights, democracy and the rule of law. All the organisation's actions are shaped by these values and by an enduring concern with social inclusion, social cohesion and respect for diversity.

The Third Summit of Heads of State and Government of the Council of Europe's then 46 member states took place in Warsaw in May 2005. In the Summit Declaration Europe's leaders committed themselves to ensuring that cultural diversity becomes a source of mutual enrichment, to protecting the rights of national minorities, and to securing the free movement of persons. The Declaration includes the following paragraph:

''We are determined to build cohesive societies by ensuring fair access to social rights, fighting exclusion and protecting vulnerable social groups. … We are resolved to strengthen the cohesion of our societies in its social, educational, health and cultural dimensions''[3].

From the perspective of social inclusion and social cohesion, the integration and education of children and adolescents from migrant backgrounds is one of the most urgent challenges facing Council of Europe member states. The challenge takes more than one form. Migrant children and adolescents who are already of school-going age when they arrive in the host country, are likely to be beginners in the language of schooling; whereas those who were born in the host country or arrived before starting school may be conversationally fluent in the language of schooling but find it difficult to access the academic language that is a precondition for educational success. Member states also face the challenge of maintaining and developing the first language proficiency of migrant children and adolescents, including the acquisition of literacy.

The Language Policy Division's project *Languages in Education/Languages for Education*[4] believes that these challenges are transversal. Any adequate attempt to respond to them must take account of the full range of curricula and all varieties of linguistic competence and communication that those curricula require pupils to master.

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[1] Such as neither Belgium nor Switzerland.

[2] Like the Welsh minority in Great Britain, the Sorbs in Germany or the German speaking minorities in Belgium and Denmark.

[3] http://www.coe.int/t/dgap/forum-democracy/activities/key-exts/warsaw%20declaration_en.asp?toPrint=yes&

[4] Available *at* http://www.coe.int/lang

1.1. Languages in Europe

The latest count of both living and many known but extinct languages of Europe gives some 275 languages (and more than half of these are in the former USSR). Nonetheless, Europe is very poor on linguistic diversity. If we discount recent immigrants and count only the autochthonous languages, we have only some 3% of the world's spoken languages. North, Central and South America have around 1,000 autochthonous spoken languages, 15%. Africa has around 30%, Asia a bit over 30% and the Pacific somewhat under 20% (see Skutnabb-Kangas, 2000 for details). A count based on Sign languages would probably give a similar distribution1. Two countries, Papua New Guinea with over 850 languages and Indonesia with around 670, have together a quarter of the world's languages.

Adding those seven countries which have more than 200 languages each (Nigeria 410, India 380, Cameroon 270, Australia 250, Mexico 240, Zaire 210, Brazil 210), we get up to almost 3.500 languages, i.e. 9 countries have more than half of the world's spoken languages. With the next 13 countries, those with more than 100 languages each (the Philippines, Russia, USA, Malaysia, China, Sudan, Tanzania, Ethiopia, Chad, Vanuatu, The Central African Republic, Myanmar/Burma and Nepal), 22 mega-diversity countries (some 10 percent of the world's countries) have around 75% of the world's languages (and only one of them is in Europe if Russia is counted as a European country).

The top ten languages in the world in terms of number of speakers (Mandarin Chinese, Spanish, English, Bengali, Hindi, Portuguese, Russian, Japanese, German, Wu Chinese) account for approximately half the world's population but they represent only 0.10 - 0.15% of the world's spoken languages. Five of them are spoken in Europe, even if the bulk of the speakers of Spanish, English and Portuguese are in other parts of the world.

- There are 6-7,000 spoken languages[5], and maybe equally many Sign languages;
- The median number of speakers of a language is probably around 5-6,000;
- Over 95% of the world's spoken languages have fewer than 1 million native users;
- Some 5,000 spoken languages have fewer than 100,000 speakers;
- Over 3,000 spoken languages have fewer than 10,000 users;
- Some 1,500 spoken languages and most of the Sign languages have fewer than 1,000 users;
- Some 500 languages had in 1999 fewer than 100 speakers;
- 83-84% of the world's spoken languages are endemic: they exist in one country only.

What is happening to the world's linguistic diversity? Languages are today disappearing faster than ever before in human history. A language is threatened if it has few users and a weak political status, and, especially, if children are no longer learning it, i.e. when the language is no longer transmitted to the next generation. There are detailed definitions of

[5] see *The Ethnologue,* http://www.sil.org/ethnologue

the degree of threat or endangerment. Even the most 'optimistic realistic' linguists now estimate that half of today's spoken languages may have disappeared or at least not be learned by children in a 100 years time, whereas the 'pessimistic but realistic' researchers (e.g. Krauss 1992) estimate that we may only have some 10% of today's oral languages (or even 5%, some 300 languages) left as vital, non-threatened languages in the year 2100.

If Europe wants to support linguistic diversity and become more creative and richer (see section 3), we should grant maximal support to ALL indigenous and minority languages, including, especially, immigrant and refugee minority languages which represent the only way to increase linguistic diversity in Europe. Before discussing whether and why Europe should support linguistic diversity, we need to clarify some of the main concepts in the debates.

Which languages, and how many of them, exist as living languages in Europe, spoken by large communities every day? This question is a long way from being answered. Unlike other areas of the world, especially Australasian or African states, European nation states consider themselves as monolingual or, at the most, bi-, tri- or quadrilingual, if their area is divided into territories with different main languages. This is the reason why hardly any reliable data on language diversity in Europe can be found in official statistics; the self-image of relatively homogenous national populations makes the question of how many and which languages are actually used in a country, unnecessary. In some statistics, next to the national languages the so-called 'lesser used' languages are taken into account: the languages of national or regional minorities, which are in fact mostly long-settled citizens of a particular nation state. They often use their language in addition to the national one. If these are included, roughly 60 or 70 languages are counted in Europe. And many people in Europe consider this a complex, complicated situation.

If we look at non-European countries, we get a different image of what 'linguistic diversity' means. India is a good example:

"With a population of approximately 1000 million people, who, together, represent four language families, i.e. India-Aryan and Dravidian, Austro-Asiatic and Sango-Tibetan, 1652 languages with 10 major writing systems, 18 scheduled languages and 418 listed languages, India is certainly one of the leading multilingual nations in the world today. [...] All the state and Union Territories of India are multilingual, despite the dominance in each of speakers of the scheduled languages. In fact, the language situation is extremely dynamic, with new languages evolving to serve as lingua franca in several areas"[6].

Whether a language is considered to be a proper 'language' or a mere 'dialect' often depends more on political decisions than on linguistic criteria. This is well demonstrated by the recent 'explosions' of languages in Eastern European countries: e.g. 'Czechoslovakian' into 'Czech' and 'Slovakian', 'Serbo-Croatian' into 'Serbian' and 'Croatian'. As long as the national unity of the former country was to be emphasized, the languages were considered as 'one'. Now, that the countries are split up, the same languages are considered as 'two' –

[6] *Choudhry 2001: 391; see also other contributions in the volume The Other Languages of Europe*

and each one has now to serve as proof of national identity and unity for 'its own' country.

2. Council of Europe

2.1. Linguistic Diversity

The Council of Europe's activities to promote linguistic diversity and language learning in the field of education are carried out within the framework of the European Cultural Convention[7] (1954). The purpose of this Convention is to develop mutual understanding among the peoples of Europe and reciprocal appreciation of their cultural diversity, to safeguard European culture, to promote national contributions to Europe's common cultural heritage respecting the same fundamental values and to encourage in particular the study of the languages, history and civilisation of the Parties to the Convention. The Convention contributes to concerted action by encouraging cultural activities of European interest[8].

2.2. The Role of the culture in the Council of Europe

Culture is an essential component and a key factor for the effective delivery of the core mission of the Council of Europe to promote human rights, the practice of democracy and the rule of law.

Promoting culture as the soul of democracy means advocating strong cultural policies and governance aimed at transparency, access and participation, and respect for identity and diversity, intercultural dialogue and cultural rights – as the basis for respectful and tolerant living together in an ever more complex world.

In cultural heritage and landscape there are 3 main conventions, the most recent being the Faro Framework Convention (2005)[9]. The Faro Framework Convention along with the

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[7] The Convention entered into force in 5th of May 1955. Nowadays, 49 member-states have ratified it.

[8] As for now, these treaties are the following:

- European Convention on the Protection of the Archaeological Heritage (ETS No. 66),
- European Agreement on continued Payment of Scholarships to students studying abroad (ETS No. 69),
- European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (ETS No. 120),
- European Convention on Transfrontier Television (ETS No. 132),
- Anti-Doping Convention (ETS No. 135),
- European Convention on the General Equivalence of Periods of University Study(ETS No. 138),
- European Convention on the Protection of the Archaeological Heritage (Revised) (ETS No. 143),
- European Convention on Cinematographic Co-Production (ETS No. 147),
- European Convention relating to questions on Copyright Law and Neighbouring Rights in the Framework of Transfrontier Broadcasting by Satellite (ETS No. 153),
- European Convention on the Promotion of a Transnational Long-Term Voluntary Service for Young People (ETS No. 175),
- European Convention on the Legal Protection of Services based on, or consisting of, Conditional Access (ETS No. 178),
- European Convention for the protection of the Audiovisual Heritage (ETS No. 183),
- Protocol to the European Convention on the protection of the Audiovisual Heritage, on the protection of Television Productions (ETS No. 184),
- Additional Protocol to the Anti-Doping Convention (ETS No. 188).

[9] This Convention only requires two further ratifications by member states to come into force.

European Landscape Convention (2004) are remarkable documents, because they both view heritage as an expression of values. To monitor these conventions and to exchange information, the Coe has created some instruments, i.e. HEREIN (for heritage) is undergoing major development (called HEREIN 3) and the Compendium (for cultural policies and trends) has already been significantly enhanced and updated.

Monitoring, though, is not enough. Often the development requires assistance and technical advice. So the Coe has several key projects that offer expert support. In culture, it has embarked on an ambitious programme of national reviews of cultural policy. In 2010, they intend to complete the review of Turkey, with a view to publishing this in 2011. They also have major programmes of technical assistance in the countries of the South East Europe, and are now developing the next phase of "the Ljubljana Process"[10]. This covers the countries of Albania, Bosnia and Herzegovina, Bulgaria, Montenegro, Romania, Serbia, and "the former Yugoslav Republic of Macedonia". A new special programme concentrates on dialogue and diversity in Kosovo[11]. A second major programme operates in the South Caucasus and Black Sea Region called "the Kyiv Initiative" (2006) encouraging cross-border cooperation between Armenia, Azerbaijan, Georgia, Moldova and the Ukraine. In biodiversity, the technical assistance work covers "The Emerald Network" covering 7 countries within the framework of a Joint Programme with the European Commission.

Furthermore, one other Joint Programme with the European Commission, this one of ‘’Intercultural Cities’’ is addressed to eleven cities across Council of Europe Member States, who are involved in a pilot project that has developed a considered methodology and a set of practical tools that cities can use when developing approaches to managing diversity at a local level.

2.3. Council of Europe policy relating to children and adolescents from migrant backgrounds

The Council of Europe’s commitment to human rights, democracy and the rule of law generates concern for social inclusion and social cohesion, which depend on access and participation, both of which in turn depend on effective communication. Hence the Council of Europe’s emphasis on the responsibility of member states to provide appropriate language education for migrants. Article 19 of the European Social Charter (revised, 1996) refers to the signatories’ undertaking:

[10] At the informal meeting of research ministers in Brdo, Slovenia, in April 2008, participants agreed that the European Research Area could only be realised with improved management and under consideration of the areas of education and innovation as well as all players. Ministers therefore proposed a process of endorsed governance of the ERA, the so called "Ljubljana Process". This process has as its aim to achieve a consensus between Member States for a new political governance of the European Research Area by the end of 2009.

[11] All references to Kosovo, whether the territory, institutions or populations shall be understood in full compliance with the UN Security Council Resolution 1244 and without prejudice to the status of Kosovo.

''11 to promote and facilitate the teaching of the national language of the 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''.

According to the Explanatory Report on the Social Charter, these two paragraphs were added to the 1996 version because they were considered important "*for the protection of migrant workers' health and safety at work and for the guarantee of their rights in other respects relating to work, as well as in facilitating their integration and that of their families*" (§ 11) and because of "*the importance for the children of migrant workers of maintaining their cultural and linguistic heritage, inter alia, in order to provide them with a possibility of reintegration if and when the migrant worker returns home*" (§ 12).

This broad human rights perspective has been reiterated in a succession of recommendations and resolutions from the Committee of Ministers and the Parliamentary Assembly.[12] For example, Recommendation 1740 (2006) of the Parliamentary Assembly, on the place of the mother tongue in school education, states:

''4. It would be desirable to encourage, as far as possible, young Europeans to learn their mother tongue (or main language) when this is not an official language of their country.

5. At the same time, every young European has the duty to learn an official language of the country of which he or she is a citizen''.

These responsibilities are clearly set out in the European Charter for Regional or Minority Languages[13] and the Framework Convention for the Protection of National Minorities[14] , both of which state that the teaching of regional or minority languages should be without prejudice to the teaching of the official language(s) of the state. Recommendation CM/Rec(2008)4 of the Committee of Ministers[15] is specifically concerned with the social, employment and other disadvantages that accrue to migrant children and adolescents who do not develop adequate proficiency in a/the language of the host society. It invites the governments of member states to introduce into their policy and practice measures to improve the integration of newly-arrived children of migrants into the educational system, provide children of migrants with adequate language skills at a preschool level, prepare children of migrants and of immigrant background approaching school-leaving age for a

[12] For an overview see Extracts from Council of Europe Conventions and Recommendations/Resolutions (www.coe.int/lang → Resources → Recommendations and Resolutions)

[13] Article 8, para. 1

[14] Article 14, para.2.

[15] Adopted by the Committee of Ministers on 20 February 2008 at the 1018th meeting of the Ministers' Deputies.

successful transition from school to the labour market, and overcome the difficulties faced by these children living in segregated areas and disadvantaged areas[16].

2.4. The role of intercultural education through the Council of Europe

For many years the Council of Europe has been very active in promoting the teaching of human rights. Since 1978, the Council's Committee of Ministers has regularly adopted recommendations to the Member States on this subject. This practice started with a resolution on the teaching of human rights in the curricula of schools and training institutions[17]. Another interesting text from the perspective of the promotion of intercultural education is the Declaration regarding Intolerance - a threat to democracy[18].

On the basis of this Declaration, the Committee of Ministers decided "to promote an awareness of the requirements of human rights and the ensuing responsibilities in a democratic society, and to this end, in addition to human rights education, to encourage the creation in schools, from the primary level upwards, of a climate of active understanding of, and respect for, the qualities and cultures of others"[19].

In 1984, the Committee of Ministers agreed upon a recommendation to the Member States on second-generation migrants[2021]. It is recommended that the governments of Member States promote, as far as possible, the education and cultural development of second generation migrants, acting when appropriate in bilateral co-operation between the receiving country and the country of origin. It is further recommended that governments recognise the importance of intercultural education as an element of education in general. The promotion of intercultural education should not only take place in the curricula.

Since the beginning of the 1990s, the Council of Europe has devoted a great deal of attention to the situation and problems of national minorities in Europe. This was a reaction to the collapse of the communist systems in a number of Central and Eastern European countries and the ensuing emergence of claims for minority rights. As a result, governments of the member states of the Council of Europe agreed upon a treaty on the protection of national minorities: the Framework Convention for the Protection of National Minorities[22]. Article 6.1 stipulates that states shall encourage a spirit of tolerance and intercultural dialogue with a view to promoting mutual respect and understanding between all persons

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[16] See the full text of the recommendation to the https://wcd.coe.int/wcd/ViewDoc.jsp?id=1253467&Site=CM

[17] Resolution (78)41 on the teaching of human rights, adopted by the Council of Ministers on the 25 October 1978 at the 294th meeting of the Ministers' Deputies.

[18] Adopted by the Committee of Ministers on 14 May 1981 at its 68th Session.

[19] Ibid.

[20] Recommendation. No(84)9 of the Committee of Ministers to the Member States on Second-Generation Migrants, adopted by the Committee of Ministers on 20 March 1984 an the 36th meeting of the Ministers' Deputies.

[21] When this recommendation was adopted, the Representatives of Liechtenstein, Switzerland and the United Kingdom reserved the right of their governments to comply with it or not.

[22] Framework Convention for the Protection of National Minorities, 10 November 1994, entered into force in 1998.

living in a country, so not only between members of different minorities[23]. Article 12 specifies that the education system in a country may be an appropriate forum to contribute to the realization of those goals[24].

2.4.1. The role of intercultural policies in integration policy

European cities should reflect on the role and importance of intercultural policies within the strategic context of a local integration and social inclusion policy for migrants. In this context, it will be necessary to consider how important intercultural relations are for the overall social cohesion of the city and of certain neighbourhoods, against a background of increasing cultural, ethnic and religious diversity. Thus, each city should examine the various strategic elements of its Intercultural policy.

Also, European cities should assess how intercultural policies relate to local policies in order to improve the structural integration of migrants in employment and education, as well as access to social services and housing. It will be important to consider whether all stakeholders agree that there is room for an intercultural policy alongside more structural integration policies. City councils will have to ask if intercultural policy is seen mainly as a 'soft' policy arena, which is of 'secondary' importance in comparison with the 'hard' integration activities related to structural integration. Discussion should also take place on the need for and challenges to the incorporation of intercultural policies in all important facets of integration and social cohesion policy. In this regard, it will be necessary for cities to define the extent of specific intercultural policy interventions and activities.

2.4.1.1. The necessary resources

The need to determine the extension of resources (budgetary and human)is necessary for a successful and sustainable local intercultural policy, especially at a time when the budgets of local authorities all over Europe are extremely stretched. One part of the discussion should look at how the resourcing of intercultural policies is related to the resourcing of structural integration policy.

Another element of the discussion may focus on which component of intercultural policies is allocated most or least resources and for what reason. Decide on a separate or integrated budget for intercultural policies Setting a budget for intercultural policies should involve questioning whether there is a case for integrating the resourcing for intercultural policies into a wider social cohesion and social development budget. Cities should discuss

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[23] *Art. 6, para. 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.''*

[24] *Art. 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. 2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities. 3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.''*

how to mobilise the necessary resources in conjunction with other funding organisations – for example, through public–private partnerships or the participation of private foundations. City councils will also need to question whether there is a case to ask migrants and their organisations for benefits in kind.

2.4.2. Intercultural Education

Intercultural education, communication and understanding have been themes of international cooperation for a long time, but the notions of "dialogue of civilizations" and "intercultural dialogue" have only recently begun to appear on the political agenda of international institutions.

Following a series of colloquies and conferences organised since the 1990s, the Third Summit of Heads of State and Government of the Council of Europe[25] in its Action Plan explicitly endorsed intercultural dialogue –political and interreligious dialogue– as a means of ensuring that the diversity of European cultures becomes a source of mutual enrichment. The Summit also committed itself to a new dialogue between Europe and its neighboring regions – the southern Mediterranean, the Middle East and Central Asia. Since then, the promotion of intercultural dialogue has been a major political priority of the Committee of Ministers of the Council of Europe.

The following conference of European Ministers responsible for Cultural Affairs[26] was an important milestone for the implementation of this policy. There, the Ministers adopted the "Faro Declaration"[27] containing the Council of Europe strategy for developing intercultural dialogue. The document sets the strategy for the promotion of intercultural dialogue in the context of the overall remit of the Council of Europe to promote human rights, democracy and the rule of law, to strengthen social cohesion, peace and stability. The Declaration clears the ground for the "mainstreaming" of intercultural dialogue in all working areas of the Council of Europe.

On the occasion of the Faro Conference, three important agreements were signed by the Council of Europe and different partners, charting future cooperation. The "Faro Open Platform"[28], created with UNESCO, builds a flexible mechanism of cooperation with international partners, in order to support the development of a coordinated and efficient approach. The bilateral agreements signed by the Secretary General and the "Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures" and the Arab League Educational, Cultural and Scientific Organization (ALECSO) provide the Council of Europe with the possibility to engage in a closer cooperation with the countries on the southern shores of the Mediterranean and in other regions.

In 2006, the Committee of Ministers launched the preparations of the White Paper on

[25] Warsaw, May 2005.
[26] Faro/Portugal, October 2005
[27] https://wcd.coe.int/wcd/ViewDoc.jsp?id=927109
[28] Adopted by the Committee of Ministers on 9 November 2005.

Intercultural Dialogue of the Council of Europe, which is expected to be published in November 2007.

2.4.3. The White Paper on Intercultural Dialogue and the European Commission against Racism and Intolerance (ECRI)

The Council of Europe's policy on the linguistic integration and education of children and adolescents from migrant backgrounds reflects the organisation's view that integration is a two-way process. The same view underpins the White Paper on Intercultural Dialogue (2008), which defines social cohesion as "*the capacity of a society to ensure the welfare of all its members, minimising disparities and avoiding polarisation*", and integration as "*a two-sided process and as the capacity of people to live together with full respect for the dignity of each individual, the common good, pluralism and diversity, non-violence and solidarity, as well as their ability to participate in social, cultural, economic and political life*".[29] The White Paper recognises the need for "*a pro-active, structured and widely shared effort in managing cultural diversity*",[30] and proposes intercultural dialogue as "*a major tool to achieve this aim*".[31]

The White Paper defines intercultural dialogue as "*a process that comprises an open and respectful exchange of views between individuals and groups with different ethnic, cultural, religious and linguistic backgrounds and heritage, on the basis of mutual understanding and respect*".[32] Intercultural dialogue is seen as, inter alia, a means of promoting "*personal growth and transformation*";[33] from the perspective of the individual it is "*important in managing multiple cultural affiliations in a multicultural environment*" and "*a mechanism to constantly achieve a new identity balance, responding to new openings and experiences and adding new layers to identity without relinquishing one's roots*".[34]

The White Paper has transversal implications for school education, in particular the development of an intercultural dimension across the curriculum, but especially in "*history, language education and the teaching of religious and convictional facts*".[35] It provides a larger policy framework for the elaboration of approaches to language education that promote a positive attitude to linguistic diversity and support the development of pupils' linguistic repertoires and their capacity to interact with people from other languages and cultures. The 2008 report of the European Commission against Racism and Intolerance reaffirms the Council of Europe's view that "successful integration is a two-way process, a process of mutual recognition, which bears no relation to assimilation".[36] The report notes that "the tone of the political debate has not only hardened considerably, but also tends to

[29] White Paper on Intercultural Dialogue, *Living together as equals in dignity*, 1.4, p.10.
[30] Ibid., 2.1, p.12.
[31] Ibid., 2.1, p.12.
[32] Ibid., 3.1, p.16.
[33] Ibid., 3.1, p.16.
[34] Ibid., 3.2, p.17.
[35] Ibid., 4.3.2, p.29.
[36] Strasbourg: Council of Europe, 2009, p.12.

stigmatise entire communities, including nationals of immigrant backgrounds";[37] and it expresses concern that "the debate and measures around integration in many countries in Europe have continued to focus almost exclusively on actual or perceived 'deficiencies' among the minority population and ignore both the economic, social and cultural contributions made by minority groups and the lack of effort made by the majority population to integrate them".[38]

2.4.4. Plurilingual and intercultural education

The Language Policy Division launched the project *Languages in Education/Languages for Education* as part of the follow-up to the Third Summit of Heads of State and Governmen). The project supports social cohesion and intercultural dialogue by promoting plurilingual and intercultural education, which is based on the recognition that all languages and cultures present in the school have an active role to play in providing a quality education for all learners. Particularly concerned to foster the development of effective skills and competences in the language(s) of schooling, it is thus committed to addressing the needs of those for whom the language of schooling poses problems or is not the language they use at home.

The Council of Europe distinguishes between *plurilingual individuals*, who are capable of communicating in two or more languages, at whatever level of proficiency, and *multilingual regions or societies*, where two or more language varieties are in use. This distinction is important because plurilingual individuals may live in overwhelmingly monolingual societies, and multilingual societies may be made up of mostly monolingual individuals. According to the *Common European Framework of Reference for Languages*, language education should aim to provide learners with plurilingual and intercultural competence, understood as "*the ability to use languages for the purposes of communication and to take part in intercultural interaction, where a person, viewed as a social agent has proficiency, of varying degrees, in several languages and experience of several cultures*".[39] This view is developed as follows in the Council of Europe's guide to the development of language education policies.[40]

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[37] Ibid., p.10

[38] Ibid., p.12.

[39] Common European Framework of Reference for Languages, p.168 (http://www.coe.int/lang)

[40] *"The ability to use different languages, whatever degree of competence they have in each of them, is common to all speakers. And it is the responsibility of education systems to make all Europeans aware of the nature of this ability, which is developed to a greater or lesser extent according to individuals and contexts, to highlight its value, and to develop it in early years of schooling and throughout life. Plurilingualism forms the basis of communication in Europe, but above all, of positive acceptance, a prerequisite for maintaining linguistic diversity. The experience of plurilingualism also provides all European citizens with one of the most immediate opportunities in which to actually experience Europe in all its diversity. Policies which are not limited to managing language diversity but which adopt plurilingualism as a goal may also provide a more concrete basis for democratic citizenship in Europe: it is not so much mastery of a particular language or languages which characterises European citizens (and the citizens of many other political and cultural entities) as a plurilingual, pluricultural competence which ensures communication, and above all, results in respect for each language".* Guide for the development of language education policies in Europe (2007), p.10; available at

This argument assumes that everyone has the potential to be plurilingual, because plurilingual competence is a consequence of our inbuilt language capacity. Education, whatever form it takes, should seek to ensure the harmonious development of the individual's plurilingual competence in the same way as it seeks to promote the development of his or her physical, cognitive, vocational and creative abilities. The argument also assumes that an individual's plurilingual repertoire comprises various languages (learnt in childhood or at a later stage, naturalistically, through tuition or through self-directed study) in which he or she has acquired various skills (listening, reading, conversation, etc.) at different levels of proficiency. The languages in the repertoire may be used for different purposes: communicating within the family, socialising with neighbours, working, expressing membership of a group, and so on.

According to this argument, the development of plurilingual and intercultural competence within a multilingual and multicultural educational framework is one of the foundations of democratic coexistence. It plays an essential role in the management of diversity, allows every citizen in Europe to participate effectively in the national and transnational public arena, and prevents the serious economic losses represented by the disappearance of competence in languages whose transmission the authorities have been unable to support effectively (this is especially a danger for the languages of communities recently settled in Europe). Language education policy has to strike a democratic balance between the plurilingual repertoires of indigenous minorities and immigrant groups on the one hand and "official" languages and their use on the other.

"Plurilingual and intercultural education as a right", one of the foundation documents of the LE project, locates plurilingual and intercultural education within a rationale concerning the right to education, so that language education "*becomes that element of the process of education which puts languages in the service of a quality education and in relationship with the general aims of the school and the rights of learners*".[41] The document insists on the central role that language plays in the process of education: "*Language is a tool for acquiring knowledge, one aspect of the development of the person, as both individual and social actor, a means of and factor in understanding and making sense of reality, and a vehicle for imaginative creativity*".[42] It goes on to point out that ''in a language rights perspective, all the languages and language varieties in a school have to be taken into account. These include:

- each pupil's own, evolving language repertoire,
- the official main language, as both a subject in its own right and the language of instruction for other subjects,

http://www.coe.int/lang.

[41] D. Coste, M. Cavalli, A. Crişan & P.-H. van de Ven, "Plurilingual and intercultural education as a right", Strasbourg: Council of Europe, 2009, p.3

[42] Ibid., p.5.

- minority, regional and immigrant languages, as parts of certain pupils' (sometimes unacknowledged) repertoires and/or parts of the school syllabus, as either subjects taught or indeed languages of instruction for other subjects,
- foreign languages, as subjects taught and/or medium for certain other forms of instruction (and even as part of the main repertoire of some of the pupils in the school); classical languages as subjects taught.[43]

The document identifies five "*linguistic spaces*", or domains of language use, that are in contact and intersect with one another in the school: "*the linguistic repertoire of the learner, the language of schooling as a school subject, the language of schooling as a vehicle for access to other school subjects, other languages (taught and/or acknowledged as present in the school), social uses of language outside school*".[44] From the perspective of the individual's right to language education, the first of these spaces is the most important: "*The major purpose, especially if the curriculum is defined as the experiential learning trajectory that the individual follows, is to ensure that the repertoire of the learners is extended – in the framework of general educational purposes – to a growing mastery of discourses, genres and texts which are present in the other defined spaces.*"[45] This implies that it will be necessary to adopt "*specific measures focused on particular groups of pupils, particularly migrant children and young persons and pupils from disadvantaged backgrounds*",[46] especially as regards developing their proficiency in the language of schooling in order that they have full and equal access to all curriculum subjects. At the same time, in keeping with the principle that integration is a two-way process, general language rights include "*acknowl-edgement of, due regard for and recognition of pupils' pre-school and out-of-school language repertoires*".[47]

A companion document, "Plurilingual and intercultural education as a project", points out that because linguistic plurality and diversity are part of everyday reality, "*plurilingual and intercultural education is not a 'revolution'. It takes into account above all what already exists …*".[48] Thus it is not to be thought of either as something that should be the preserve of a privileged elite or as a new approach to the teaching of languages. Its distinctive character derives from the following considerations:

- ''all languages are … valued regardless of their status in the eyes of society (official, minority, regional languages, languages of migration etc.) and teaching status (first language, second languages, languages of origin, modern foreign languages, classical languages);

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[43] Ibid., p.5.
[44] Ibid., p.7.
[45] Ibid., p.7.
[46] *Ibid., p.8. See also J.-C. Beacco, "The platform of resources and references for plurilingual and intercultural education in relation to 'vulnerable' groups", Strasbourg: Council of Europe, 2009 (www.coe.int/lang).*
[47] Ibid., p.8.
[48] M. Cavalli, D. Coste, A. Crişan and P.-H. van de Ven, "Plurilingual and intercultural education as a project", p.7.

- ''the various languages forming part of learners' personal repertoires but not included in the languages of schooling are of special importance; they are languages which the school can develop through varied, plural and partial approaches, thus reinforcing learners' identity, and giving them equal opportunities for school success.[49]

The need for plurilingual and intercultural education arises from the linguistic rights of the individual, but also from the value attached to linguistic diversity and thus to multilingualism as one of the positive characteristics of European societies.

2.5. Providing for the linguistic integration and education of children and adolescents from migrant backgrounds

How should we refer to the language(s) that children and adolescents from migrant backgrounds bring with them to school? Traditional terms may be misleading and in some cases prejudicial. For example, "mother tongue" appears to reflect Western child-rearing practices: the child acquires the language of his or her mother because she is the primary care-giver. But such practices never applied in many non-European cultures, and they have long been subject to almost infinite variation across Europe. In any case, "mother tongue" is sometimes understood to refer to the language spoken by one's mother, whether or not it is also one's own dominant language. "First language" is problematic partly because children may acquire more than one language early in life, and partly because one's dominant language at the age of ten or fifteen is not necessarily the first language one learnt. Other terms tend to be bound to a specific set of social and/or cultural considerations. For example, in the United Kingdom a "community language" is the language spoken by an immigrant community, and a "community school" has the function (among other things) of developing proficiency in a community language – connotations that are unlikely to survive when these terms are translated into other languages. In Belgium, for instance, "community" refers to a political region defined by language. A second example from the United Kingdom is "additional language", the term used to refer to English when it is not the dominant language of migrant children and adolescents but nevertheless the language though which they receive their education. However, for those unfamiliar with UK usage, "additional" may seem to understate the very great challenge that such learners face in mastering the language of schooling.[50] In this paper the term "home language(s)" is used to refer to the language(s) spoken at home by children and adolescents from migrant backgrounds. The term is used without prejudice to the fact that in many cases the language of schooling may

[49] Ibid., p.13.

[50] The VALEUR project (2004–2007) of the European Centre for Modern Languages uses "additional" in a quite different sense, to refer to "all languages in use in a society, apart from the official, national or dominant language(s)" (Valuing All Languages in Europe, Graz: European Centre for Modern Languages, 2007, p.1, emphasis added; available at http://www.ecml.at/mtp2/publications/Valeur-report-E.pdf [accessed 5 July 2010]). English as the language of schooling in the United Kingdom is excluded from this definition.

be adopted as a language of at least some home communication by at least some family members.

2.5.1. Recognising linguistic and cultural diversity

When developing policies to promote the linguistic and educational integration of children and adolescents from migrant backgrounds, whether they are new arrivals or settled and resident, it is necessary to take account of the multiplicity of their linguistic, cultural and educational experience. This multiplicity is matched by the plurality of European societies themselves as reflected in the diversity of languages and types of communication, communities and social groups, religious and educational cultures, and identities:

''These different types of plurality do not simply exist side by side. They impinge on one another in complex and often conflictual ways. They are neither transient nor circumstantial, but deeply entrenched in most European countries precisely because of migration movements, the existence of regional and ethnic minorities and – whatever its democratic virtues and beneficial effects – the advent of mass education and scientific and technological progress''.[51]

Multiple pluralities have made multilingual school populations part of commonplace reality across Europe,[52] and they give rise to complexities of language repertoire and language use that are sometimes overlooked. Consider the following example from Germany:

''In this school, nearly 50% of the children have a monolingual background and a German passport; they come from families with long ancestral lines in Germany. The other half represents more than 15 nationalities with about 20 different home languages. Some of the children speak more than two languages, for instance because their parents have different language backgrounds.

For all the children in this school, plurilingualism forms an integral and important part of their daily experience. The German language plays the role of lingua franca for everybody in the school and is undoubtedly the language which is most frequently used. Nevertheless it is anything but the only language present. Alongside German, it has become commonplace for the children to use several other languages actively: some children count in Turkish during games, others give greetings or thanks in Italian, others know Portuguese tongue-twisters or Polish "selecting rhymes", and one swears fluently in many languages. The diversity of languages and cultural experiences is an important aspect of their daily life for all children in that school, no matter whether they themselves are mono- or plurilingual. Independent of whether or not the school pays attention to it, diversity of languages and cultural backgrounds is a common element in the socialisation of all its children. This applies not

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[51] D. Coste (ed.), M. Cavalli, A. Crişan & P.-H. van de Ven, "A European reference document for languages of education?", Strasbourg: Council of Europe, 2007.

[52] *For an overview, see* Valuing all languages in Europe*, available in English and French versions at http://www.ecml.at/mtp2/publications/Valeur-report-E.pdf.*

only to our case-study school or other more exceptional schools, but for all societies which include immigrants and other minorities, and that means in fact, for all European societies".[53]

As this example implies, the out-of-school linguistic situation of children/adolescents from migrant backgrounds is infinitely variable, which means that the way in which they use their home language is also subject to infinite variation.[54] At one extreme, an immigrant family may live linguistically and culturally apart, remote from other members of their original speech community. In such circumstances use of the home language will necessarily be limited to the private sphere, and the children will acquire literacy in their home language only as a result of parental initiative. At the other extreme, an immigrant family may live in close proximity to many other families from the same country, as part of a cohesive linguistic, cultural, economic and religious community. Local shops may reinforce the culture of origin by supplying traditional food and clothes, and the language and culture of origin may be preserved, even reinforced, by cultural and/or religious organisations, which may help the children of the community to acquire literacy in their home language but also support their literacy development in the language of schooling. Satellite television, the internet, other mass media and affordable air travel may further strengthen linguistic and cultural links with the country of origin. Every imaginable variation exists between these two extremes.

The fact that children and adolescents from migrant backgrounds speak another language outside school should not be assumed to imply that they reject the language of the school or have a negative attitude to education and integration. At the same time their out-of-school linguistic situation inevitably affects their encounter with the language of schooling. If their family lives in linguistic and cultural isolation, their need to learn the language of schooling will be more than an educational matter and strong parental support may help to motivate their learning. If, on the other hand, they are part of a settled and cohesive community, the language of schooling may play a relatively minor role in their life outside school. In some cases their efforts to learn may be impeded by cultural barriers, or the barriers that are created by the experience of social, religious or racial prejudice. Account must also be taken of the linguistic repertoires and cultural capital of their parents and the extent to which they use the language of the host community in their daily lives – in dealing with officialdom, in the workplace, in shops and other public places, etc. Perhaps the parents are themselves attending a language course to assist their integration. In the case of children who were born in the host country it is necessary to ask how much exposure they had to the language of schooling before starting school. In the case of children/adolescents who were not born in the host country different questions arise: Did they attend school in

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[53] I. Gogolin, *Linguistic diversity and new minorities in Europe*, Strasbourg: Council of Europe, 2002, pp.8–9.

[54] *See, for example, the papers that address this theme in I. Gogolin & U. Neumann (eds),* Streitfall Zweisprachigkeit /The bilingualism controversy*, Wiesbaden: Verlag für Sozialwissenschaften, 2009. This infinite variety easily escapes the surveys on which much of the debate about the benefits and disadvantages of bilingualism in education is founded.*

their country of origin? If so, was the curriculum similar to or significantly different from the curriculum in the host country? Did they develop any proficiency in their new language of schooling in their country of origin? Was it, for example, included in their school curriculum as a foreign language? Was their educational experience disrupted, perhaps by civil unrest, and if it was, has the disruption affected their attitude to schooling? Again, the possible permutations are infinite.

The development of policies for the linguistic and educational integration of children and adolescents from migrant backgrounds must also recognize that use of their home language is one of their basic human rights, and how they use the language is a matter of choice that will be determined by a number of factors, for example:

- the extent to which their home language is used by those with whom they share their daily life, inside and outside the family;
- their desire (conscious or unconscious) to (i) identify more or less strongly with the host society, and (ii) maintain or abandon the connection with their language and culture of origin;
- the degree and types of mastery of their home language that they developed in their country of origin, especially as regards forms of written discourse;
- the extent to which they have access to social and cultural activities mediated through their home language;
- whether or not their home language is part of the host country's education system, as a medium of bilingual education, a school subject, or an optional extra;
- whether or not their home language and its associated culture are promoted and taught by establishments legally attached to the country of origin or by cultural associations;
- whether or not they have easy access to their home language and its associated culture via satellite television and the internet;
- the extent to which they are inclined to reinvent their plurilingual identity at different stages of their lives.

3. OSCE Developments and Linguistic Minorities

3.1. The OSCE's Linguistic framework

As a security organisation the OSCE derives its interest in language issues from a conflict prevention perspective. The protection of the rights of persons belonging to national minorities, including their linguistic rights, constitutes a key element within the framework of the OSCE's overall approach of "comprehensive security" (which recognises the interdependence of issues of military and political security, economic and environmental well-being, and respect for human rights) and "cooperative security" which is grounded in the commitment of all States to cooperate within a framework of open, democratic societies with free market economies, based on the rule of law and respect for human rights. It is important to note from the outset that all OSCE participating States have voluntarily

accepted by consensus and in the spirit of cooperative security that human rights are a legitimate concern to all participating States and that they do not belong exclusively to the internal affairs of the State concerned[55]. Furthermore, all OSCE States have bound themselves to respect not only express OSCE commitments, but all relevant international law irrespective of its source. The existence and functioning of the OSCE institutions is the product of consensus decision- making - neither standards nor institutions are imposed. The work of the OSCE institutions, which often reaches significantly into the specific regulatory and practical affairs of participating States, therefore proceeds from assumptions of common interests and cooperation.

3.2. The OSCE and Conflict Prevention

The linguistic rights of persons belonging to national minorities have emerged as among the most common sources of dispute in many OSCE States. As the principal OSCE institution mandated in July 1992 specifically to prevent conflicts in situations involving minority issues, the High Commissioner on National Minorities (HCNM) has been engaged, in cooperation with other OSCE institutions, in a number of situations that have threatened to destabilise certain regions of Central and Eastern Europe and the former Soviet Union. While the roots of disputes and the particular historic circumstances may differ, the status of the mother tongue and the regulation of the use of language are particularly contentious elements that tend to polarise parties like no other.

So why are issues surrounding language so charged? Part of the answer lies in the symbolic function of language and its centrality to notions of identity, both as a source of individual self-identification and as a crucial element in the collective cultural identity of many communities (especially in Europe)[56]. Of course "identities" are complex and changeable, with different elements becoming more important depending on the contexts and the nature of interactions encountered therein. In a depoliticised context, "national" identity in the sense of ethnic (or even purported "racial") characteristics may take a backseat[57]. This element comes to the fore when the sense of identity — whether individually or collectively — feels threatened in some way. Any threat (real or perceived) to the use of language, such as inadequate opportunities to learn or use one's own language in public or in private, is interpreted as tantamount to a threat to the very identity of those involved, thus provoking understandably strong and defensive reactions. This entanglement of issues of language with such a sensitive phenomenon as identity provides fertile ground

[55] See the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the (then) CSCE in: Bloed 1993, 606.

[56] In the European Union alone an estimated 40-50,000,000 EU citizens speak a language other than the main official language of the State of which they are citizens; see O Riagain, 2001, 33.

[57] For a presentation of research conducted into the self-articulation of identity in the South African context which found individuals defining themselves in terms of personality traits, institutional, familial/social and regional identities over and above "race", see Carrim 2000.

for conflicts.

Further to its implications for identity, language also functions as a tool of social organisation. Choices made by States in the use of language — especially in the public sphere of governance — have a bearing on access to important public goods, and constitute either a means to or obstacle in the way of social integration. Problems arise when persons or groups feel that they are being excluded from certain processes or opportunities in the public sphere — including access to an equitable share of the State's resources —derived from their lack of knowledge of the State language(s). Disputes may arise over access to, *inter alia,* public services and facilities, employment or economic opportunities, and prestigious positions within the State. Fundamentally in some States, language is also a key factor affecting access to citizenship (in particular through language requirements in the naturalisation process) which in itself is key to full participation and integration within the State.

The role of the OSCE as a security organisation, and specifically of the HCNM as an instrument of conflict prevention, is not to address questions of identity *per se*. Indeed, it is the experience of the HCNM that although questions of identity often help to explain the context of a dispute they seldom, in themselves, represent the root of the problem. A minority/majority may be concerned about the protection of identity, but usually in relation to a particular issue or set of issues. The HCNM, therefore, seeks to direct disputing parties towards the solution of concrete issues and away from the rather nebulous and volatile concept of identity. By focusing on specific substantive questions — on policy, legislation and governmental practice — parties are able to frame their concerns in a subject-oriented rather than national(ist)-oriented way.

3.3. Integrating Diversity

It is the task of the democratic State to provide the framework within which each individual can be free to maintain and develop his/her identity pursuant to a "social contract" which both legitimizes and sustains the State in that same task for the benefit of others. In doing so the State has a responsibility to ensure an evenhanded (as opposed to a completely neutral "hands-off") approach in responding to competing claims — including matters of culture and identity — with the aim of ensuring equal respect for all. While no liberal democratic regime can ever be culturally neutral – since every State has to make choices regarding, for example, the language(s) to use for government, the courts and in public education – cultural particularism should be kept strictly to a minimum. The creation of new States (or the restoration of their sovereignty) in post Cold War Europe, including post-Soviet State formation, has been accompanied in many areas by national and ethnic revivals. Thus, the OSCE has had to pay particular attention to problems of diversity, especially linguistic diversity. The objective promoted by the OSCE is one of "integrating diversity", that is the simultaneous maintenance of different identities and the promotion of social integration. This implies a pluralist, multicultural model of societal organisation based

on the principle of non-discrimination. A common fear is that support for integration, as opposed to assimilation, within the State will in fact lead to its disintegration. The OSCE approach informs that the reverse is true. Specifically, the HCNM's experience is that: "A minority that has the opportunity to fully develop its identity is more likely to remain loyal to the State than a minority who is denied its identity"[58].

Within the framework of integrating diversity, as informed by international standards, the State is entitled and indeed obliged to seek integration in accordance with the principles of equality and non-discrimination[59]. This is a matter of balancing general and particular interests and wills. Distinctions and preferences must constitute a *proportionate balance* between the different interests in accordance with respect for the dignity of the individual and the protection of their rights — most relevantly the rights to freedom of expression and association. As de Varennes observes, in order to determine whether such preferences (in this case, linguistic ones) are discriminatory, various factors must be taken into account, including a State's demographic, historical and cultural circumstances: what is reasonable in the context of one State may be completely unadaptable in another. Furthermore, States have an obligation to encourage conditions for the promotion of identity that goes beyond mere protection and requires special or "positive" measures to ensure equal enjoyment and development of the rights of minorities in fact as well as under law[60]. Crucial in this regard are the language and educational policies of the State concerned. Persons who have the official language of the State as their mother tongue (usually the numerical majority) are automatically advantaged over those who speak a minority language. The privilege of the State language must therefore be balanced by adequate compensatory measures aiding persons belonging to linguistic minorities. At the same time, the international instruments for the protection of minorities provide that the exercise of positive rights shall neither impinge on the rights of others[61], nor shall they in any way compromise the territorial integrity of the

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[58] Max Van der Stoel, HCNM to the OSCE Parliamentary Assembly Seminar, *New Risks and Challenges*, 12-13 April 2000.

[59] See Eide 1999, 322. The principle of non-discrimination is enshrined in, inter alia, the following standards: The 1948 Universal Declaration of Human Rights (UDHR), Article 2; the 1966 International Covenant on Civil and Political Rights (ICCPR), Articles 2(1) and 26 which provides a wider guarantee — not only in respect to those rights set out in the instrument itself as in the European Convention; the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), Article 14 (along with Protocol 12 additional to the ECHR); the Council of Europe Framework Convention for the Protection of National Minorities (Framework Convention), Article 4(1); the Document of the Copenhagen Meeting of the Conference of the CSCE (Copenhagen Document), Articles 31 and 32; the 1992 United Nations General Assembly Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN Minorities' Declaration), Articles 3(1) and 4(1). In addition, dedicated antidiscrimination instruments are important, such as the 1965 International Convention on the Elimination of All Forms of Racial Discrimination.

[60] In accordance with paragraph 33 of the Copenhagen Document. For the full text of the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, adopted on 29 June 1990, see Bloed 1993, 439-465.

[61] See Dunbar 2001, 118 . See, for example, Article 8(1) of the United Nations General Assembly Declaration on the Rights of Persons Belonging to National Minorities, and Article 20 of the Framework Convention for the Protection of National Minorities.

State[62].

Accordingly, in practice, in OSCE States (Estonia, Georgia, Latvia, the former Yugoslav Republic of Macedonia, Moldova, Slovakia and Ukraine among others) where language regulation has been a source of tension, the HCNM stresses that, while he remains aware of and sensitive to the historical experiences of past repression, there is a need to balance efforts to preserve and promote the language of the majority with measures to ensure the maintenance and development of the languages of persons belonging to minorities. At the same time, the HCNM reminds minorities that as members of the larger society of the State, they also have interests and even certain obligations to learn and use the language(s) of the State.

While learning the State language promotes intra-State cohesion it also benefits linguistic minorities in terms of their integration into society and their access to public goods. This has been so particularly in cases where knowledge of the State language is required in order to facilitate access to citizenship (for example, as is the case in the Baltic States). In many newly-independent States of the former Soviet Union, where a substantial part of the population may not speak the designated State language to any degree of proficiency, there is a need for adequate educational opportunities for persons belonging to minorities to improve command of the State language(s). In response to such needs the OSCE HCNM and Missions have consistently encouraged the development of training programmes (for example, the State Language Training Programme in Latvia and similar programmes in Moldova and the fYROM) aimed at enabling persons who according to the law must use the State language, or who would wish to do so for their own benefit.

3.4. The Oslo and Hague Recommendations

It was in order generally to assist policy- and law-makers in developing and implementing good policies and laws in the areas of minority education and language rights that the HCNM facilitated the elaboration of two sets of general recommendations by a group of independent internationally-recognised experts for use in all OSCE participating States and beyond. Where, in the High Commissioner's experience, the international standards for protection of minorities lack clarity in some areas in terms of their content which leaves them open to interpretation and possible inconsistencies on application, the aim of *The Oslo Recommendations Regarding the Linguistic Rights of National Minorities* (1998)[63] and *The Hague Recommendations Regarding the Education Rights of National Minorities* (1996)[64] is to provide States with some guidance in finding appropriate

[62] As paragraph 37 of the Copenhagen Document makes clear: "None of these commitments [i.e. specified minority rights] may be interpreted as implying any right to engage in any activity or perform any action in contravention of the purposes and principles of the Charter of the United Nations, other obligations of international law or the provisions of the [Helsinki] Final Act, including the principle of territorial integrity of States."

[63] The Oslo Recommendations are reproduced, together with some scholarly analysis of the related subject matter, in a special issue of the *International Journal on Minority and Group Rights*, Vol. 6, No. 3, 1999.

[64] The Hague Recommendations are reproduced, together with some scholarly analysis of the related subject

accommodations for their minorities in the spheres of education and language that fully respect the letter and spirit of the internationally agreed standards. As such, the Recommendations represent an expert interpretation of binding, legal obligations and political commitments. Aimed at use in all OSCE participating States and beyond, they provide a clear framework within which States can develop law and policy tailored to their own specific cultural and linguistic context.

Fully endorsed by the HCNM and available in several languages, they have been circulated widely, have been the subject of seminars organised by the HCNM, have been discussed in the Permanent Council and at the 1999 OSCE Summit meeting in Istanbul, and have generally become a reference, at least among OSCE participating States.

4. Conclusion

In fact, linguistic and cultural plurality within a society is in practice ambivalent. On the one hand, it creates objective as well as subjective complications for communication and day-to-day life. On the other, it is the ultimate proof of human creativity, ability and potential, a source of joy and beauty – and it is inevitable.

A European language policy addressing education and literacy will have to set up and implement strategies which allow a balance between the positive and the negative connotations of plurilingualism and cultural plurality. As a pre-requisite of the development of such a policy we have to be aware that negative perceptions of diversity are to a large extent the result of the strategies used in the historical process of nation-building itself. It was only this process in the 18th and 19th centuries that led to monolingual self-conceptions: to the conviction that living in culturally and linguistically plural circumstances is difficult, that learning in or of foreign languages is complicated, that bi- or plurilingualism too early in childhood may be dangerous for both the linguistic and the cognitive development of the individual, and further, similar beliefs. The historical strategy of developing the notion of national homogeneity was in fact most successful in creating a negative climate, individual rejection or ambivalence towards plurilingualism and language learning. Admittedly, it was less successful in creating a stable homogenous 'reality', as becomes obvious at the latest when frontiers between nations change or become dysfunctional as a means of regulating lives, because mobility is requested and technical possibilities permit unlimited communication.

Thus, the crucial and at the same time most promising point of departure for a new language policy in Europe will be to promote a linguistic self-concept different from today's: not a 'monolingual', but a 'plurilingual habitus' among European individuals and institutions. In the end this means, not only to observe and recognize that a linguistic multiple public sphere exists already, but also to accept and promote its legitimacy.

The linguistic reality around us can be taken as a starting point for language education

matter, in a special issue of the *International Journal on Minority and Group Rights*, Vol. 4, No. 2, 1996/97.

concepts which aim at the development of 'heteroglossic literacy' – of the ability to deal with linguistic complexity and diversity in the most competent manner.

In this conception, vital day-to-day multilingual practice itself is a rich resource for language education. In order to protect and safeguard this wealth, or even to expand it with a minimum of investment, *those who wish to* should be given the opportunity to attend lessons in their family languages if these are different from the national or regional language in the respective area. In these cases the language instruction at school is not the only source of language development; it is exclusively the school's responsibility to give access to literacy which is imperative for an accomplished language development[65]. Whereas this is meant to serve the particular needs of bi- or plurilingual children, the universal perspective implies an offer of a larger variety of different languages during a school career to all children and young people. The significant languages of a specific school or area should be taken into account as languages which may be learned by all children. It is obvious and substantiated by research that the chances of successful language learning grow through opportunities for actual communication in a specific language. Therefore it means a waste of opportunities and resources if minority languages are not taken into consideration in language planning. This does not compete with other rationales of language education policy. Undoubtedly one of the languages offered to all children should be English – if not as a national language, then at least as an international working language.

It is now over fifty years since the signature of the European Cultural Convention first set out the promotion of language learning as an aspect of the Council of Europe's mission to improve European understanding and co-operation. We have seen how a progressive approach to language learning, teaching and assessment was first pioneered by a small group of applied linguists. We have seen how those ideas came to be accepted by educational authorities, teacher trainers, media course conductors, textbook writers and language testers, thus forming a powerful consensus, leading to profound and lasting reform to the benefit of classroom teachers and learners on the largest scale. We have seen how the twin aims of better communication and the material enrichment through cultural and linguistic diversity have been constantly pursued over a period of time long enough for reform to take effect. We have seen the development and spreading use of such concrete tools as the threshold level specifications for 25 languages, the *Common European Framework of Reference for Languages* translated into over 30 languages and the *European Language Portfolio* in a number of forms for different age groups in many languages. We have seen the deepening and strengthening of basic concepts, like communication, democratic citizenship and plurilingualism.

As to the future, much still remains to be done before the aims which the Council of Europe has so long pursued are finally realised. But the commitment of the profession is as strong as ever. Our task is to convince the teachers and learners themselves to want to

[65] This applies at least to standardized written languages – in fact the majority of languages of Today.

communicate across our inherited linguistic and cultural boundaries, with respect for each other's distinctive identity. That is the ultimate test. If we pass it, we shall live in a happier world.

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