High Commissioner on National Minorities: New Study on Regulation of Minority-Language Use in Broadcasting

A unique and comprehensive survey of the regulation of minority-language use in the broadcasting sectors of each of the 55 Participating States of the Organization for Security and Co-operation in Europe (OSCE) was recently concluded by the Programme in Comparative Media Law and Policy (PCMLP) of the University of Oxford and the Institute for Information Law (IViR) of the University of Amsterdam.

Commissioned by the OSCE High Commissioner on National Minorities as part of the preparatory process for the elaboration of a new set of international Guidelines on the Use of Minority Languages in the Broadcast Media (see IRIS 2004-1: 3), the study reveals an enormous variety in the array of legislative and regulatory regimes for language use in broadcasting currently in place throughout the OSCE. The study’s main conclusion is that language use in the broadcast media is: (1) typically regulated; (2) rarely prohibited; and (3) often facilitated.

The study focuses in particular on mechanisms regulating language use, demonstrating that these can entail the promotion of certain languages or prohibitions or restrictions on others. It emerges as well that different norms are frequently prescribed for public service and private sector broadcasting. The study also examines a wide range of other factors affecting diversity of language use in broadcasting, including:

- official/State recognition of specific languages
- policy goals of safeguarding or promoting certain languages or of strengthening language forms
- establishment, ownership and editorial control of broadcasting outlets by linguistic minorities
- access to broadcasting services (especially public service broadcasting) at the national, regional and local levels
- quotas and other provisions governing minority-language programming
- licensing provisions
- financing and tax regimes
- transfrontier considerations

The study comprises a wealth of information gathered by a vast network of country experts. A detailed comparative overview presents the trends identified in States throughout the OSCE region against the background of existing international legal norms. Individual country reports document and contextualise formal prescriptions and proscriptions of language and other measures affecting the use of minority languages in the audiovisual sector. It is hoped that the study will prove a valuable research resource for everyone with an interest in the issues at stake and that it will facilitate the task of identifying and promoting "best practices" as regards any regulation of language use in the broadcasting sector.

• "Minority-Language Related Broadcasting and Legislation in the OSCE", T. McGonagle, B. Davis Noll & M. Price, Eds., Study commissioned by the OSCE High Commissioner on National Minorities, carried out by the Programme in Comparative Media Law and Policy (PCMLP), Oxford University and the Institute for Information Law (IViR) of the University of Amsterdam, April 2003 (published: September 2003)

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