

Advisory Committee National Minorities: Relationship between Minority Languages and Media Clarified

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“Language Rights and Media” is one of the key chapters in a thematic commentary adopted by the Advisory Committee (AC) on the Council of Europe’s Framework Convention for the Protection of National Minorities (FCNM) on 24 May 2012. The thematic commentary is entitled “The Language Rights of Persons Belonging to National Minorities under the Framework Convention”.

The thematic commentary comprises six substantive chapters: ‘Language Rights and Identities’; ‘Language Rights and Equality’; ‘Language Rights and Media’; ‘Public and Private Use of Minority Languages’; ‘Language Rights and Education’; ‘Language Rights and Participation’.

The chapter, ‘Language Rights and Media’, relates mainly to the AC’s findings in respect of two provisions of the FCNM: Article 9 (dealing with freedom of expression and access to media) and, to a lesser extent, Article 6 (dealing with tolerance, intercultural dialogue and understanding). The chapter’s most extensive focus (paras. 41-44) is on “public sector media”, by which the AC essentially means public service broadcasting (PSB). The AC advocates minority-oriented approaches to a range of pertinent issues: access to PSB; representation and participation in production and editorial processes and structures; programming (eg., content, language, budget), etc. The balancing of official and minority language usage in broadcasting time is a central theme. The role of the media in promoting tolerance and intercultural dialogue and thereby social cohesion is also touched upon.

The chapter’s subsequent focus on private sector media includes community media. It supports, inter alia, “the creation of incentives for private and community media providers, for instance through funding and the allocation of frequencies, to increase access to and presence in the media especially of numerically smaller minorities and their languages” (para. 45). The AC expresses its concern that the “application of official language quotas in the private media sector” should not “unduly” limit “private initiative” or “hinder the creation or continuation of minority language media” (para. 46).

The AC underlines the importance of print media for persons belonging to national minorities, both in practical terms (e.g., as a source of information and news in

their own language) and in symbolic terms (e.g., by conferring status on the language in the public sphere). The commercial unviability of many minority-language newspapers and periodicals points up the need for them to be appropriately subsidised (para. 47).

The positive and negative impact of new media technologies on minorities is highlighted, in particular in the context of increased dependence on Internet-based media and in the context of digital switchover: “special needs and interests of minority communities must be taken into account, for instance, when frequencies are changed” (para. 49).

Finally, recognising that films and music in minority languages can enhance the “prestige and presence” of minority languages in public life, the AC takes the view that “authorities must not create excessive requirements in terms of dubbing, post-synchronisation or subtitling into the official language, as these could disproportionately hinder the production and projection of films in minority languages” (para. 50).

Thematic commentaries are adopted by the AC in order to enhance its monitoring of the implementation of the FCNM by States Parties to the Convention. Such commentaries seek to consolidate the experience acquired by the AC through its monitoring activities in respect of specific rights or themes. They seek to identify patterns and principles in the AC’s acquis, which should guide the AC in its future monitoring work. The thematic commentary on language rights is the third of its kind: the two earlier commentaries deal with educational rights and participatory rights of national minorities. They were adopted in 2006 and 2008, respectively.

“The Language Rights of Persons Belonging to National Minorities under the Framework Convention”, Thematic Commentary No. 3, Advisory Committee on the Framework Convention for the Protection of National Minorities, Doc. No. ACFC/44DOC(2012)001rev, adopted on 24 May 2012 but published on 5 July 2012

http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_CommentaryLanguage_en.pdf

