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*Subject:* contribution of the *Feriening Frysk Underwiis* (FFU) to the hearing of the Committee of Experts of the Council of Europe on the implementation of the 48 treaty obligations from part III of the *European Charter for Regional or Minority Languages*.

Ljouwert/Leeuwarden, January 24, 2012

**Dear Mr. President and Members of the Committee of Experts**

Hereby we give you our specific comments on the education domain with regard to the questions such as which have reached us. In general we, as an *Association for Frisian Education (FFU)*, must unfortunately conclude that the language policy of the national Government on Frisian in the education domain makes little progress in the schools. The uniform language and education policy is still unilaterally focused on Dutch and accompanying measures for the Frisian language are therefore ineffective in comparison with the effect of the national policy on the transfer of the Dutch language and culture. The growth of the number of Frisian-speaking playgrounds and the modest number of tri-lingual elementary schools (Frisian, Dutch and English) are examples of positive exceptions. However, that is not promoted by national policy but by the provincial government. These (provincial) efforts are not sufficient.

There is, in the province of Fryslân, no language and education policy based on equality and equal rights and the consequences are becoming clearer: the next generation makes increasing use of the Dutch language, because the speakers of Frisian in the public space (school square, street, etc.) are sufficient multi-lingual in contrast to peers who speak an other mother tongue, because in most of the school curricula the Frisian language is not a language of instruction or a important subject. For *writing* the situation is much worse, because learning how to read and write in the Frisian language is primarily a task of education, but many schools refuse to teach the compulsory core goals at a sufficient level. That's why a large number of the Frisians still cannot read and write their own language well.

On the basis of research and experience the fear is justified that - in our contemporary open society and under an unchanged policy - the Frisian language will disappear in our province as the colloquial language in the public space and consequently also at home. Therefore we urge the *Council of Europe* to influence the responsible authority in this country to realise the signed articles of the Charter in an effective way.

Mr. President, the details and the policies that we consider as necessary we hereby offer you. Thank you for your attention,

Th. Dykstra,  
*Frisian Education Association (Feriening Frysk Underwiis)*

## **Right Honourable Members of the Committee of Experts,**

In contribution to your discussion on the implementation of the 48 charter obligations of part III of the *European Charter for Regional or Minority Languages* on January 24<sup>th</sup>, we hereby will answer the five questions that we have been asked as good as possible and we will emphasize some problems and bottlenecks.

Because we represent especially the interests of the Frisian language in the (entire) education we focus mainly on recommendation no. 1 of the Committee of Experts “to develop an overall and coherent policy for the teaching of and in Frisian at *all levels of education* and to adopt concrete measures for its implementation”. In response to this, the Committee of Ministers asked for “the teaching of and in Frisian [to be strengthened] at all levels of education” and especially the application of article 8 of the European Charter (par. 1, sub-paragraphs (a) (ii), (b) (ii), (c) (iii), e. (ii), (f) (i), g, h, i).

Ad question 1: *What is the overall judgment of your organisation on the actual status in regard to the Frisian Language Policy, as described in the fourth report of The Netherlands to the Council of Europe over 2008-2011?*

The overall judgment of our organization with regard to the above recommendation of the Committee of Experts and the Committee of Ministers is that (too) little of the recommendations have been reached and that the implementation of the endorsed education measures are established very insufficient and extremely slow.

Ad question 2: *What activities has your organization taken itself in the years 2008-2011 (and possibly thereafter) to the goals/objectives/aims and to achieving the desirable situations?*

The FFU, from 2008 to 2011, has written various pressing letters and other documents to the Dutch provincial and national government. Some examples:

- On September 15<sup>th</sup>, 2008, we wrote a letter to the Dutch Government describing specifically our complaints and concerns on the implementation of the Charter.
- In 2008 the FFU, together with several other Frisian organisations, wrote a *Oanfalsplan Frysk* (‘Actionplan Frysk’) on the necessity to strengthen the position of the Frisian Language in all public domains and has made several practical proposals. On the 29<sup>th</sup> of October, 2008, the FFU and the Frisian Provincial Government organised an expert meeting on the Frisian Academy to discuss the analysis and proposed measurements.
- On August 24<sup>th</sup>, 2009, we, again, expressed our concerns on slow implementation of the Charter and the necessity to, by law, protect the Frisian Language by making it an official and obligatory course and instruction language in secondary education, covering all schools: regular, technical and in schools for the mental and/or physically handicapped children.
- On October 16<sup>th</sup>, 2009, we turned to Committee Hoekstra, to stress our plea to decentralise as much powers on Language Policy as possible to the province of Fryslân, for we thrust provincial power on this subject will improve the level of Frisian education much quicker, both in quality as in quantity. Our national Government has had the opportunity to do so for one and a half century now, and has failed in its protective and supportive duties until today.
- On October 18<sup>th</sup>, we, together with 16 other organisations, co-signed, a letter of the European *Europeesk Buro foar Lytse Talen* (earlier *European Bureau for Lesser Used Languages* [EBLUL])

to the Council of Europe and the Dutch Ministry of Internal Affairs, to the slow and late report and the failing language policy of the national Government in regard to the European Charter.

- On November 26<sup>th</sup>, 2010, we addressed the Provincial and National Government for a second time to make the Frisian Language, just as the Dutch language, an compulsory and official course with central examinations, in secondary education. The Frisian language deserves, in the field of education, the same and equal status as the Dutch language, obliging pupils in secondary education in Fryslân to take exams in Frisian language and culture.

- On April 22<sup>th</sup>, 2011, we participated in an Internet-consultation of the Dutch Ministry of Internal Affairs concerning the subject 'Law on the use of the Frisian Language'. We noted 11 shortages in the concept proposal. In the new Law on Language should, among others, be laid down in principle that the Province of Fryslân has a duty by Law to protect and improve policies on preservation and development of Frisian Language and Culture, in general use and in education.

- On September 27<sup>th</sup>, 2011, we again turned to the Dutch Government and wrote with regard to the Charter: "Its articles 8(1) a. *ii*; b. *ii*; c. *ii* and *iii*; d. *ii* and *iii* (including pre-school education, special (secondary) education and vocational training) should be inserted and integrated into Dutch legislative, uncurtailed. Only this may and will lead to the effect that in the schools concerned a 'substantial part' of education will be taught in the Frisian language." Moreover, the inspection on teaching Frisian in schools should be improved drastically, with help of normative, reliable, valid and objective tests and exams. A translation of this letter, has been sent to Strasbourg (Council of Europe) en Brussels (European Parliament) (see annex 2: *Subjects: (1) application of the European Charter; (2) financing a pupil follow system and interim and final tests of Frisian; (3) inspector's checking of education in Frisian (as a subject & as a medium of instruction)*).

By such legislation the compliance with the European Charter can be better and more effectively enforced with sanctions. This is now not at all possible.

It is a language policy which the State towards promoting the Dutch language has also unilaterally applied where the policy of sanctions for non-compliance with the last years is significantly tightened. The same language politics we ask also for the Frisian language in the entire education in Fryslân.

That is what we mean by 'to develop an overall and coherent policy for the teaching of and in Frisian at *all levels of education* and to adopt concrete measures for its implementation'.

*Ad question 3: What policy measurements and developments of the Government (municipality, provincial and Kingdom) have had a positive or negative influence on the activities and aims/objectives of your organisation in relationship to the Charter?*

In 2006 the core goals for Frisian in basic education, which until then were mirrored to the content of the Dutch core goals, were revised downwards. This adjustment had as background that schools would pursue than better the core goals in the education practice. However, according to the inspection report, *Tussen wens en werkelijkheid. De kwaliteit van het vak Fries in het basisonderwijs en het voortgezet onderwijs in Fryslân*, of november 2010 ('Between desire and reality. On the quality of the Frisian as a subject in basic and secondary education in Fryslân') one cannot speak of any improvement.

The inspectorate concludes that the "in the previous reports (1999, 2001, 2006) described conclusions and recommendations so far have not led to solid progress on all fronts in regard to Frisian as a subject". Doubt was expressed about the necessary support. Further, the inspectorate proposes not to investigate the quality of education in Frisian (once in 4 years) until the pupils in primary and secondary education can be followed on the basis of a standardized pupil follow-system ('een genormeerd toets- of leerlingvolgsysteem') for Frisian.

In regard to the relatively small language area this requires extra (scarce) financial resources. But apart from this, with this recommendation the inspectorate gives a wrong signal to the schools, namely that the inspectorate takes its statutory task to assess the quality of education in Frisian not very seriously.

According to the FFU one of the causes of the bad situation with regard to education in the Frisian language is, that the education policy of the *national Government* is focused on the 'knowledge economy'. The Empire has limited its focus to *arithmetic/mathematics* and the *Dutch* language in the (international) race to become the best in 'what matters' in education. Whether or not good results are achieved in regard to the core goals for Frisian doesn't seem to matter at all. Schools in Fryslân therefore focus mainly on those both subjects, because in that struggle they want to survive and they do not want to be judged by the inspectorate as 'weak' or still worse 'very weak'.

The *province of Fryslân* in addition has invested a lot of money in the provincial project 'Boppeslach', a school improvement project initially intended for the backlogs in Frisian, but all pretty soon it was used for 'weak' and 'very weak' schools and so for the *Dutch* language, very often at the expense of attention for the *Frisian* language.

The expectations were high of the *Stuurgroep decentralisatie Friese taal van Rijk naar de provincie Fryslân* ('Steering committee on the decentralization Frisian from the national government to the province of Fryslân') by the Minister of the Interior and Kingdom relations at its installation in Fryslân in 2009. The Cabinet's reaction (June 30, 2011) in response to the released report of the steering group on the Frisian in education: *Fries in het onderwijs: meer ruimte, regie en rekenschap voor de provincie Fryslân* (aug. 2010) ('Frisian in education: more space, direction and accountability for the province of Fryslân', Aug. 2010) was very disappointing, especially by the view of the Ministry of Education that wrongly brought into proceedings the *education freedom* of schools and wanted to keep the importance of a uniform, national education policy without exceptions to the rule.

Today, the province of Fryslân is trying through negotiations with the national Government to save what can be saved, but the time does not work in favor of the position of Frisian at the language transfer in the schools. At the moment, it is still unclear whether the in 2011 released proposal of law: *Wet gebruik Friese Taal* ('Law on the use of the Frisian Language') of Minister Donner (Minister of the Interior and Kingdom relations) will be elevated into law. The proposal considers to anchor the position of the Frisian as a second national language in the *administrative* and the *legal* domain and to guarantee the equal rights of the Dutch language and the Frisian language within the province of Fryslân in the light of the *European Charter* and the *Framework Convention for the Protection of National Minorities*. Now Minister Donner has gotten another function it is the question whether his successor takes over the proposal and will bring it to a successful conclusion.

Here, too, must be noted that, unfortunately, despite all the fine words, the Kingdom (national Government) has no interest in the bloom of the Frisian language and culture. The Empire, again and again, extends and passes on it's responsibility on the Frisian population itself, to ensure conservation of their own *Frisian* language. When it really comes to matter the Empire considers itself *only* responsible for the *Dutch* language and culture, both financially and in laws and regulations.

Ad question 4: *What measurements should the government take, in the next years, to meet the Charter requirements?*

With regard to education, it is necessary that the endorsed obligations of art. 8 in the Charter are *fully converted* into Dutch *legislation*, supplemented with a legal obligation for the Frisian language as a subject and as a language of instruction in the *special (secondary) education, vocational education* (secondary and higher) (see annexes 1 and 2) and for the education in the own (Frisian) *history* (art. 8, sub-paragraph g). With regard to subject and language of instruction, only thus can de jure en de facto be complied with to the equality and the equivalence of the Frisian language to the Dutch in Fryslân.

The national Government should instruct the inspectorate on its regular task of supervision and monitoring. This task applies to all forms of education in the province of Fryslân. To that end, the inspectors must be knowledgeable with regard to Frisian language, culture and history and must master this language at least passively (reading and understanding). Substantive work should go out of the equality and equal rights of Frisian to Dutch.

*Ad question 5: What actions have to be taken in the coming years by the province and municipalities to promote the objective of our organization in relation to the 48 provisions from the Charter?*

The Province should, by law, gain *power* to impose more rules and sanctions for the promotion and protection of the Frisian language and culture, also in relation to the 48 provisions of the *Charter*, without interference of the Empire (see also above). This also applies to the supervision of the provisions of the European Charter that the existing level of linguistic rights of the Frisian language for the inhabitants of a Frisian municipality may not deteriorate if merged with other municipalities (art. 4, second paragraph, and art. 7, par. 1, b).

We think this specially to the toponymy (*Charter*: art. 10, par. 2, g; the name of the new municipality and the names of villages and cities). This issue, for example, is topical in the new municipality Súdwest-Fryslân. The transfer of officially recorded Frisian names to the next generation, for example in education (in textbooks, atlases, maps), is decisive for the survival of those names.

*Ljouwert, Januari 24, 2012*

*Annexes:*

1. FFU-letter (in Dutch) to the Minister of the Interior and the members of the Dutch Parliament (April 22, 2011) on the 'Consultatie *Wet gebruik Friese taal*'
2. FFU-letter to the members of the Dutch Parliament on (1) the application of the *European Charter*; (2) financing a pupil follow system and interim and final tests of Frisian; (3) inspector's checking of education in Frisian (as a subject and as a medium of instruction) (September 27, 2011; in English translation for the *Council of Europe* and the *European Parliament*)