

# TABLE OF CONTENTS

	<i>page</i>	
<i>Preface</i>	V	
 Chapter I INTERNATIONAL AND EU FRAMEWORK  		
I.1	Introduction	1
I.1.1	Methodology	4
I.2	Introduction to the Topic: Minority Languages	8
I.3	Definition of Minority and of Regional or Minority Languages	10
I.4.1	International Framework	12
I.4.2	United Nations Declaration on the Rights of Indigenous Peoples	16
I.5.1	The Council of Europe Treaties: the European Convention for the Protection of Human Rights	18
I.5.2	Court of Human Right's Jurisprudence on Minority Languages	20
I.5.3	The Council of Europe Treaties: the Framework Convention for the Protection of National Minorities	23
I.5.4	The Council of Europe Treaties: the European Charter for Regional or Minority Languages	30
I.6.1	General Introduction to the European Union Framework	38
I.6.2	Introduction to the European Union Framework on Minority Languages	40
I.7.1	European Union Framework	45
I.7.2	The Charter of Nice and the Failed Project for the European Constitution	50
I.7.3	The Treaty of Lisbon	53
I.8	Court of Justice's Jurisprudence on Minority Languages	57
I.9	Conclusions: Council of Europe Treaties and the European Union Framework	62

## Chapter II

## PROTECTION OF MINORITY LANGUAGES IN ITALY

II.1	Introduction	67
II.1.1	Administrative and Constitutional Structure	69
II.2.1	Protection of Linguistic Minorities in the Italian Constitution: Art. 6	70
II.2.2	Italian Constitution and Italian Constitutional Court Judgments Linked with the Protection of Minority Languages	74
II.3.1	Introduction to the Framework Law	79
II.3.2	Framework Law 482 of 1999 in Some Detail	82
II.3.3	Conclusions on Framework Law 482 of 1999	89
II.4.1	Northern Italy's Regions with a Special Statute: Valle d'Aosta. Introduction	91
II.4.2	Valle d'Aosta: Use of French in the Public Administration	93
II.4.3	Conclusions on French in Valle d'Aosta	98
II.5.1	Northern Italy's Regions with Special Statute: Trentino Alto Adige. Introduction	99
II.5.2	Trentino Alto Adige Legislation	101
II.5.3	Trentino Alto Adige, Statute of Autonomy of 2001 and Linguistic Rights in Public Administration	104
II.5.4	Province of Bolzano and Province of Trento: Conclusions	107
II.6.1	Northern Italy's Regions with Special Statute: Friuli Venezia Giulia. Introduction	108
II.6.2	Legislation for the Protection of Slovene	111
II.6.3	Legislation for the Protection of Friulian Language	115
II.6.4	Judgment of the Constitutional Court 159 of 2009	118
II.6.5	Conclusions on Friuli Venezia Giulia	122
II.7.1	The Other Regions with Special Statute: Sardinia. Introduction	123
II.7.2	Sardinian Framework	124
II.7.3	Regional Law 26 of 1997	126
II.7.4	Conclusions	127
II.8	The Other Regions with a Special Statute: Sicily	129
II.9	Conclusions on Italy	131

## Chapter III

## PROTECTION OF MINORITY LANGUAGES IN SPAIN

III.1.1	Introduction	141
III.1.2	1978 Spanish Constitution	142
III.1.3	European Charter for Regional or Minority Languages in Spain	144

	<i>page</i>
III.2.1 Autonomous Community of Catalonia: Introduction	147
III.2.2 Legislative framework: Statute of Autonomy	149
III.2.3 Law on Linguistic Normalization	150
III.2.4 Law on Linguistic Policy	152
III.2.5 Statute of Autonomy of Catalonia of 2006	157
III.2.6 The Constitutional Court judgment of June 2010, n. 31	161
III.2.7 Council of Europe Reports	164
III.2.8 Conclusions	166
III.2.9 Aran Valley	167
III.2.10 Conclusions on the Autonomous Community of Catalonia	170
III.3.1 Basque Autonomous Community: Introduction. Basque Country	171
III.3.2 Historical introduction	172
III.3.3 Legislative framework in the Basque Autonomous Community	173
III.3.4 Basque in the Public Administration and CoE reports	178
III.3.5 Conclusions on Basque Autonomous Community	181
III.4.1 Navarra: Introduction	182
III.4.2 Statute of Autonomy of Navarra and Linguistic Legislation	183
III.4.3 Legislation regarding Basque in the Public Administration of Navarra	186
III.4.4 CoE reports	191
III.4.5 Conclusions on Navarra	193
III.5.1 Galicia	195
III.5.2 Statute of Autonomy and Linguistic Legislation	196
III.5.3 Protection of Galician in the Public Administration, CoE reports	197
III.5.4 Conclusions on Galicia	200
III.6.1 Valencian Community	201
III.6.2 Valencian in the Public Administration	204
III.6.3 Conclusions on Valencian Community	205
III.7.1 Balearic Islands	206
III.7.2 Catalan in the Public Administration of Balearic Islands	208
III.7.3 Conclusions on the Autonomous Community of the Balearic Islands	211
III.8 Conclusions on Spain	212

## Chapter IV

### PROTECTION OF MINORITY LANGUAGES IN THE UK

IV.1.1 Introduction	221
IV.1.2 History	224
IV.1.3 European Charter for Regional and Minority Languages	228
IV.2.1 Wales: Introduction	229

	<i>page</i>
IV.2.2 Welsh Language Act 1993	235
IV.2.3 Public Administration and CoE reports on Welsh	241
IV.2.4 Welsh Language (Wales) Measure 2011	248
IV.2.5 Conclusions	255
IV.3.1 Scotland: History	256
IV.3.2 The Gaelic Language (Scotland) Bill 2002	258
IV.3.3 The Gaelic Language (Scotland) Act 2005. Introduction	261
IV.3.4 The Gaelic Language (Scotland) Act 2005. Contents	263
IV.3.5 Use of Gaelic in the Public Sector. ECRML Reports. CoE Recommendations	270
IV.3.6 Conclusions on Gaelic in Scotland	274
IV.3.7 Scots	275
IV.4.1 Northern Ireland: History	277
IV.4.2 Belfast Agreement 1998, Northern Ireland Act 1998	279
IV.4.3 St Andrews Agreement 2006	280
IV.4.4 CoE reports (Advisory Committee and Committee of Experts) on Northern Ireland. Public Administration	283
IV.5 Cornish	286
IV.6 Manx	288
IV.7 Conclusions on the United Kingdom	289

## Chapter V

### CONCLUSIONS

V.1 Why the Use of Minority Languages in the Public Administration is so Important	293
V.2 Which Public Administration: Central, Regional or Local?	295
V.2.1 Legislation	298
V.3 Minority Languages in the EU Institutions and in the EU Framework	304
V.4 Minority Languages in Italy, Spain and the UK and Other International Treaties	307
V.5 Minority languages in Italy, Spain and the UK and the Domestic Constitution	319
V.6 Final Remarks	322
<i>Bibliography</i>	329