

## Motion nr. 12

**Name of the person introducing the motion:** Federico Simeoni

**On behalf of the party:** Patrie Furlane

**Title:** Friulian Linguistic minority

Statement: Non-application of State and Regional legislation on the protection of minorities in Italy, with particular reference to the Friulian linguistic minority and Italy's failure to comply with European standards in this area.

Assumptions:

- the protection of minorities is one of the fundamental principles of the Italian legal system, in accordance with Article 6 of the Constitution of the Italian Republic which states that "the Italian Republic shall protect linguistic minorities by means of appropriate provisions";
- for a long time, the Italian Republic has not followed up that fundamental principle with its legislation, providing only for specific measures in favour of certain minorities as a result of international agreements and treaties without adopting specific rules of protection for all linguistic minorities;
- it is only since 1999 that the Italian Republic had legislation on State and Regional protection with State Law 482/1999 "Rules for the protection of historical linguistic minorities";
- the Italian Republic signed on 1st February 1995 and then ratified on 3rd November 1997 (by State Law 302/1997) the Framework Convention for the Protection of National Minorities, adopted within the Council of Europe [CoE];
- the Italian Republic signed on 27th June 2000, but has not yet ratified, the European Charter for Regional or Minority Languages adopted by the CoE;
- in accordance with the Lisbon Treaty, the values on which the European Union [EU] is founded include human dignity, freedom, equality, respect for human rights, including "the rights of persons belonging to a minority", pluralism, tolerance, justice, solidarity and non-discrimination;
- among the EU's objectives, the Lisbon Treaty enumerates respect for "the richness of cultural and linguistic diversity" and monitoring "the preservation and development of Europe's cultural heritage";
- in accordance with the Charter of Fundamental Rights [7th December 2000 – 12th December 2007] which, according to Article 6 of the Lisbon Treaty, "shall have the same legal value as the Treaties" and in the EU any discrimination based on "language" and "membership of a national minority" [Art. 21] is prohibited and the EU itself "respects cultural, religious and linguistic diversity".

Current situation of minorities in the Italian Republic:

As it has been highlighted in the different Opinions drafted by the CoE Advisory Committee, at the end of the four monitoring cycles on the application of the Framework Convention for the Protection of National Minorities by Italy and in the resolutions of the CoE Committee of Ministers, the protection of minorities in the Italian Republic is still limited and lacking.

The recent resolution CM/ResCMN [2017]4, approved on 5th July 2017 in Strasbourg, highlights significant lacks of the Italian Republic in the implementation of protection policies, in particular:

- the protection legislation either does not exist or, if it does exist, is not adequately executed, as is the case of State Law 482/1999 and various Regional measures;
- twenty years after State Law 482/1999 came into force, it is substantially inapplicable as regards the media sector and with specific reference to the constant presence of radio and television programmes in the languages of minorities within the offer of the public radio and television service [RAI], despite the fact that laws and regulations are very clear in this regard [Article 12, Law 482/1999 and Article 11, Presidential Decree 345/2000];

- in the field of education, the aim of ensuring the teaching, learning and use of minority languages is still disregarded, since the presence of these languages in the educational offer of primary and first level secondary schools is limited and sporadic, the organisation of educational institutions in many cases does not tolerate and inhibit the presence of minority languages in its programmes, too few teachers have the necessary language and teaching skills, while it is necessary to provide appropriate training and define forms of formal and economic recognition of the specific skills available or acquired;
- as far as public administration and the relationship between institutions and citizens are concerned, the use of minority languages is not adequately guaranteed, the professional skills that should be used for this purpose are not recognised and valued, the activity of the language offices, provided for by State Law 482/1999, is as unstable as it is the working conditions of the employees in this field, strongly conditioned by the continuous reduction of the already scarce financial resources allocated for this purpose;
- it is necessary to take positively action in the promotion of cultural activities in the minority languages;
- the forms of institutional representation of minorities are not satisfactory, starting with the Technical Committee provided by State Law 482/1999 of which - for example - the Committee of Ministers of the CoE suggests a reorganization in order to ensure a greater representation of minorities and their needs;
- in Italian society there is a growing climate of intolerance towards both immigrants and the "historical linguistic minorities".

Situation of the Friulian linguistic minority:

The above described situation also applies to the Friulian linguistic minority which is present in 175 municipalities of the Autonomous Region of Friuli-Venezia Giulia and in 7 municipalities of the Veneto Region [a total of about 900,000 people, more than half of whom have active and passive skills in the Friulian language and about a third are at least able to understand the Friulian language].

In the Friuli-Venezia Giulia Region, a Regional Law [LR 29/2007] has been in force since 2007 and is well structured, on paper, but little applied in practice, as noted by the second Regional Conference of verification and proposal on the implementation of R.L. 29/2007, organised by the Regional Council in Udine in December 2017.

In particular:

- in the field of education, despite the fact that about 65% of the pupils' families express an explicit request each year to teach the Friulian language in kindergartens, primary and secondary schools of the first degree and State and Regional regulations explicitly provide for it, it is offered in a limited, partial and not continuous manner;
- within the schools there are teachers and managers who discourage the demand for teaching of the Friulian language, motivating this attitude with organizational reasons and expressing ideological prejudices against the Friulian language and its use and teaching in schools;
- despite the fact that, over the last fifteen years, training and refresher courses for teachers have been implemented, the skills they have acquired have not yet received the formal recognition due;
- for the public use of the Friulian language, there are still few and sporadic cases in which it is promoted and guaranteed;
- the activity of the language offices, provided for by State Law 482/1999, is as unstable as it is the working conditions of employees in this field, strongly conditioned by the continuous reduction of the already scarce financial resources allocated for this purpose;
- in the media sector, the dealer of the public radio and television service [RAI] limits the regional programming to a few dozen hours of radio and television broadcasts per year;
- still in the media sector, a private community radio station [Radio Onde Furlane] operates with continuity and quality, whose action could be even more significant if it had more substantial and constant funding;

- in the field of the promotion of cultural activities in the Friulian language, a series of subjects representing the country should be more supported and valued, following criteria of quality and continuity;
- regional legislation provides for specific language policy instruments [the General Plan of Language Policy, PGPL and the Special Plan of Language Policy, PSPL], which are currently not available.

#### The European Free Alliance

1. Urges the Italian Republic to effectively execute the State and Regional legislation for the protection of minorities, in general and with specific reference to the Friulian community;
2. Solicits the Italian State and Regional authorities to have adequate and constant financial allocations in the budget laws in order to implement the protection regulations in the various areas of intervention [media, education, public use of minority languages and promotion of cultural production in the minority languages themselves].
3. Invites the Italian State and Regional authorities to adapt their internal legislative tools, with the relevant implementing regulations, to facilitate the use of minority languages in the fields of education, media, justice, public administration and services, cultural activities and structures, economic and social life and in the context of cross-border trade;
4. Urges, in particular, the Autonomous Region of Friuli-Venezia Giulia to implement its legislation for the protection of minorities, with particular reference to the Friulian community and the Regional Law 29/2007, to apply its special competences in an adequate way to guarantee the linguistic rights of its citizens, giving positive implementation to article 3 of the Statute of Autonomy for which "in the region equal rights and treatment are recognized to all citizens, whatever the linguistic group to which they belong, with the safeguard of their respective ethnic and cultural characteristics" and to request the execution of further competences [in particular in the field of education] for the same purpose, in accordance with the provisions of the Regional Statute, of the Italian Constitution and of the European legislation of reference;
5. Demands the Italian Republic to adapt to the European standards of protection of minorities, implementing the principles, guidelines and norms that come from the EU and the CoE and proceeding to the ratification of the European Charter for Regional or Minority Languages.