



To the Committee of Experts of the Council of Europe

Cc: Jongfryske Mienskip

Dear Sir or Madam,

Ljouwert 17th October 2019

Today we have come together in Ljouwert, before I will communicate my recommendations to the council; please allow me to quickly introduce myself. My name is Gabor Landman, and I'm secretary of the European Language Rights foundation Amsterdam, which is a charity foundation advocating the language rights of autonomous people. We have been writing in the Dutch press since 2012, and we have many pending cases in Romania regarding the violation of the language rights of autonomous minorities.

I would also like to mention that I 'm a sworn interpreter for the Dutch – Hungarian language. I 'm married to an ethnic Hungarian from Transylvania and I lived two years in a small Hungarian speaking village in Transylvania. However it is not only my professional interest, which brought me to Ljouwert but also an emotional tie, since my grandparents were ethnic Frisian. One of my earliest childhood memories is that I remember that my grandparents always switched to Dutch from Frisian when they noticed my presence. In that time it was not encouraged at all to speak Frisian with the authorities.

A year ago on the 16th of November 2018 our foundation already informed the council of Europe about the situation of the Frisian language in the Netherlands, namely with regard to the symbolic use of language rights and the principle of equality.

The objectives and principles of the European Charta for regional languages are clearly written down in article 7. The purpose of the Charta is to protect and enable the free use of the Frisian language. According to the Charta someone speaking Frisian should trust that there will be no disadvantage from using his or her native tongue in criminal proceedings and there should be no need to disguise the Frisian identity in front of the majority.



However it has been noted that the practice is quite the opposite. In the case of Ms Douwes our foundation already wrote a letter in November 2017 to the major of Dongeradeel requesting to stop discrimination of Frisian speaking people, in May 2018 a letter has been written to the prosecutor in Ljouwert and in November 2018 we informed the council of Europe.

Well despite our recommendations our foundation is shocked to find out that even basic human rights, such as the right to speak Frisian during Criminal proceeding is not guaranteed yet. This is not only a flagrant violation of the principles enshrined in the European Charta of regional languages but also a breach of the Strasbourg treaty and in fact a several violation of article 1 the Dutch constitution regarding equal treatment.

The evidence of structural and systematic violation of article 9 of the Charta can be easily found in the Dutch public register of all sworn interpreters. In order to become an interpreter, a certificate of good conduct is required and a professional qualification in interpreting needed. On the www.rbtv.nl register you can do a search for court interpreters.

For Dutch-Frisian only one interpreter can be found however for speakers of EU ² languages you will find Dutch-Polish 66 interpreters; Dutch-Romanian 29 interpreters; Dutch-Hungarian 19 interpreters; Dutch-Bulgarian 16 interpreters; Dutch-Slovakian 8 interpreters and Dutch-Lithuanian 9 interpreters amongst others.

Not having available Frisian interpreters, in conjunction with missing bilingual signs and stamps at the judiciary clearly proves the fact, that the Frisian language has a lower status in the Dutch Criminal system and in the court than other EU languages have despite the ratification of the European Charta for regional languages and the Strasbourg Treaty for the protection of national minorities.

The Netherlands should be advised to comply and take all measure necessary to stop ethnic discrimination of Frisians.

Please allow me to make the following two urgent recommendations:



1. Use Bilingual Signs and Stamps :

Make the Frisian language visible, through bilingual signs and stamps, especially at the police and judiciary. Bilingual signs and stamps can be implemented right away, at no costs. Bilingual stamps are a symbol of ethnic equality and tolerance. This is also an act of recognizing the regional language. (Article 7 and 9 of the Charta)

2. Stop Ethnic Discrimination by Ensuring the Principle of Equality :

The principle of equality is also subject to ethnic Frisians. If a Dutch government agency in Ljouwert is communicating in Estonian, which is spoken by less than approximately 0, 2 % of the European population it should do so as well for Frisian, which is the second official language in the Netherlands. (Twadde Rykstaal).

A basic Human right, such as the right to use the Frisian language in criminal proceedings, should be safeguarded. Frisian language rights in criminal proceedings cannot be safeguarded as long as the court has fewer interpreters for Frisian than it has for e.g. Dutch-Lithuanian. (article 7 and 9 of the Charta)

Yours Sincerely,

Drs. G. Landman

Secretary European Language Rights Foundation Amsterdam.



References:

1-Website of the European Council with monitoring:

<https://www.coe.int/en/web/minorities/netherlands>

2- Website of the Foundation European Language Rights Amsterdam:

<Http://www.language-rights.eu>

3- European Council. European Charta of Regional languages:

<https://www.coe.int/en/web/european-charter-regional-or-minority-languages/text-of-the-charter>

4. European Court of Human Rights:

<https://www.echr.coe.int/Pages/home.aspx?p=home>

5. Letter of the 20th of November 2018 to the major of Dongeradeel regarding the use of the Frisian Language:

http://language-rights.eu/LETTER_MAJOR_OF_DONGERADEEL_20112017.pdf

5. Letter of 5th of May 2018 to the prosecutor requesting Frisian language rights to be respected. We received an answer in Frisian.

http://language-rights.eu/FRYSK_OFFICIER.pdf

6. Article “the Principle of Equality is also subject to Frisians”:

<http://language-rights.eu/ITKINNET/>

7. Letter of 16th November 2018 to the council of Europe.

http://language-rights.eu/COUNCIL_OF_EUROPE_16112018.pdf

8.The CJIB in Ljouwert communicates in Estonian, but not in Frisian. The SBV communicates in 9 languages, but not in Frisian.

http://language-rights.eu/images/CJIB_IN_LJOUWERT_IN_ESTONIAN_NOTFRISIAN.jpg or <http://language-rights.eu/images/SVBSpeaks9languagesbutnotFrisian.jpg>