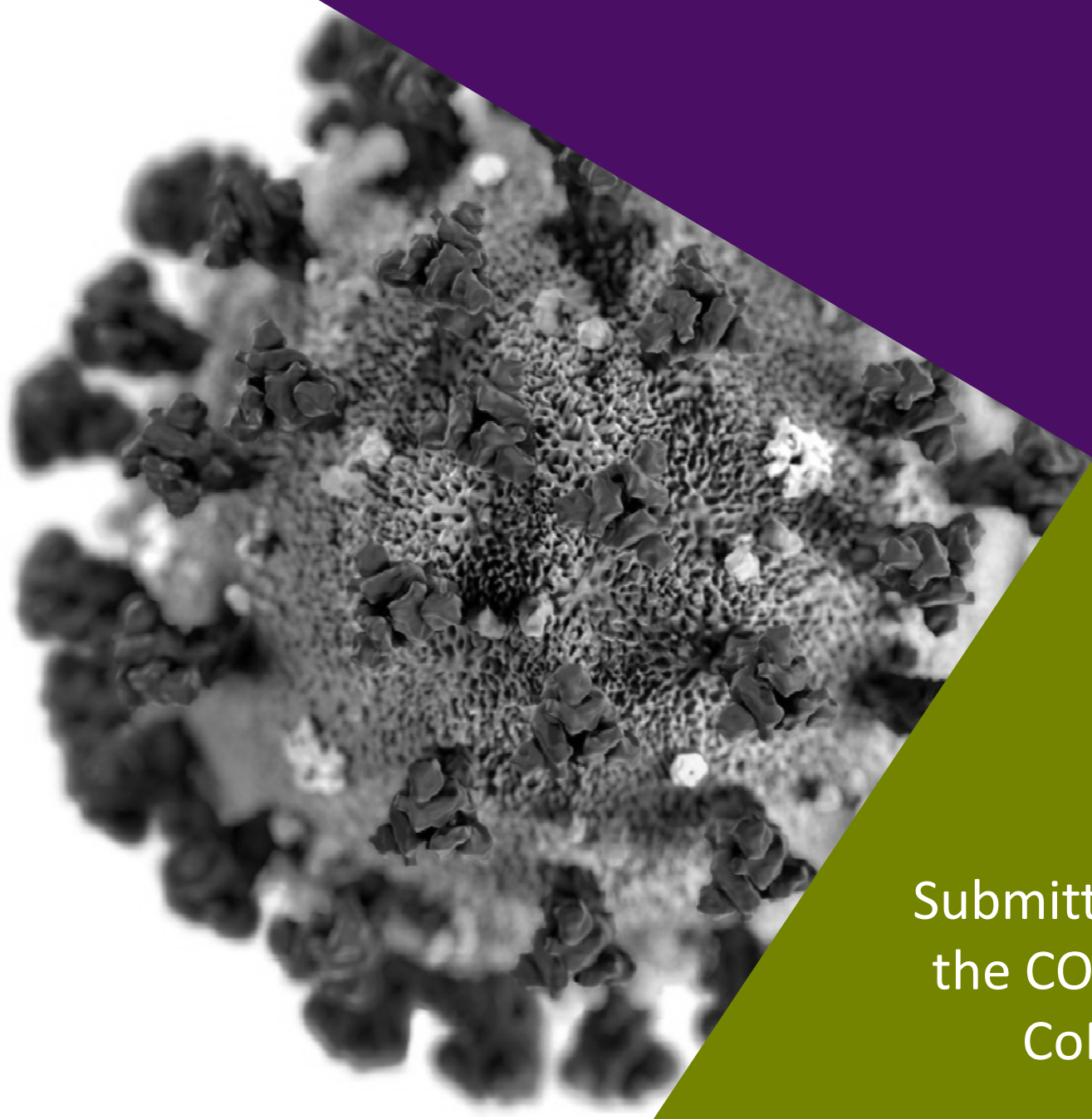


Basque-language discrimination cases



Submitted to
the COMEX
CoE

PREFACE

On 25 March, the President of the Committee of Experts of the European Charter for Regional or Minority Languages published a communication in a completely new context for the world.

In that communication, the President recalled that most countries in the world, including the Member States of the Council of Europe, new facing an unprecedented pandemic, the so-called coronavirus, or COVID-19. Governments had started introducing, gradually and at different paces, a wide range of measures, ranging from basic hygiene recommendations to partial or total confinement of their populations.

In that context he commented that it had to be noted that countries had not systematically shared the information, instructions, guidelines or recommendations in languages other than the official language of the country (also concerns the traditional regional or minority languages spoken in the respective countries).

The President underlined that communication of relevant recommendations in these languages was of utmost importance for the well-being of the speakers of regional or minority languages .

Therefore she invited states to take language-related issues into account when developing further policies and instructions to address this exceptional medical crisis.

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In addition to the Council of Europe, Ambassador Lamberto Zannie, the OSCE High Commissioner on Minorities also issued a statement that offered recommendations on short-term responses to COVID-19 to support social cohesion.

The declaration included the need to be sensitive to languages. Thus, it stated the following: *States should provide basic services in the languages used by various communities as far as possible, especially in healthcare and in communications about the health crisis and official responses. People with limited knowledge of the official language(s) can become particularly vulnerable if they cannot understand what is expected from them. Distance learning programs should accommodate the needs of all communities. Children belonging to minority groups should be able to continue learning in the official language, along with their mother tongue.*

The European Language Equality Network-ELEN (to which our entity belongs) joined with the Council of Europe in the call to ensure that all States communicate in their co-official, 'regional', indigenous, endangered or minority and minoritised languages during the coronavirus crisis. The ELEN network published a recommendation in which it stated that it was vital that States also communicate in those languages.

In the Basque Country, the day after the publication of the recommendations, Kontseilua, the Council of Social Organisations of the Basque Language (an entity that brings together dozens of associations, organisations and companies that work for the Basque language), and Behatokia, the Observatory of Linguistic Rights, publicly supported the recommendations of the President of the Committee. Thus, in addition to showing that support through the media, it expanded its content through social networks.

We would therefore first like to congratulate both the Committee's president and the High Commissioner on these recommendations. We also believe that the message was very direct and interesting, as it connected the right to receive information in minority languages with well-being.

Secondly, through this document, Kontseilua wants to inform the Committee about the degree of compliance with these recommendations, for their subsequent assessment.

The Basque language, Euskara, spreads through the territories of two States, Spain and France. In the case of the Spanish State, the Government signed and ratified the European Charter for Regional or Minority Languages. On the other hand, in the case of the French state, although it signed the Charter, it has not yet ratified it.

Besides, we must remember that within the Spanish State, Basque is present in at least two Autonomous Communities, the Basque Autonomous Community and the Foral Community of Navarre, and the governments of these communities also have competences in the language policy.

We would like to add that most of the information collected in this document has been sent by citizens who, when faced with cases of linguistic discrimination, have transferred their complaint to Behatokia. We therefore congratulate the citizens who, even in exceptional cases such as the one we are experiencing, continue to defend their rights with determination.

Finally, we would like to inform that this report is part of the data collection work being carried out by the ELEN network to make international institutions aware of the degree of compliance with the recommendations by governments.,

Basque Country, April 2020



Previous appearance of the general secretary of Kontseilua and the director of Behatokia

On 17th March French citizens received an SMS message on their phones from the Presidency. This message reminds them that the President has announced measures that the recipient of the message must respect as a matter of urgency in order to fight against the spread of the virus and save lives. It also reminds that departures will be authorised with a permit only if the work cannot be done telematically. This message was sent solely and exclusively in French

Atzo - 22:59

Alerte covid 19 : Le Président de la République a annoncé des règles strictes que vous devez impérativement respecter pour lutter contre la propagation du virus et sauver des vies. Les sorties sont autorisées avec attestation et uniquement pour votre travail, si vous ne pouvez pas télétravailler, votre santé ou vos courses essentielles. Toutes les informations sur www.gouvernement.fr



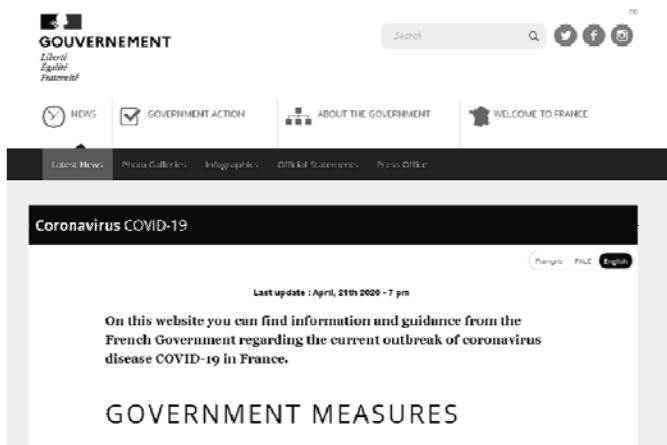
www.gouvernement.fr

GOVERNEMENT

Accueil

Actualité, clarté, simplicité: retrouvez sur Gouvernement.fr toutes les actions du www.gouvernement.fr

“Even at such a sensitive time, French Government has not been able to change its attitude towards language rights”



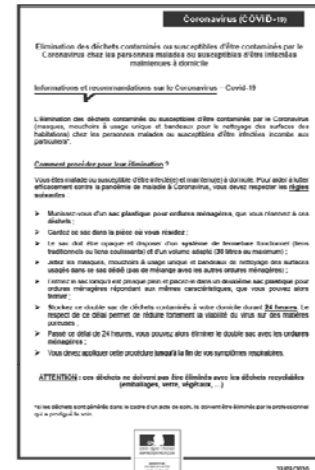
The Government has launched a website with all the information concerning the coronavirus. All the information is in French.

They have set up a space with the most essential information in English. There is nothing in the other native languages of the state

The specific website collects all kinds of detailed information of vital interest to citizens. Situation report, derogating certificates, essential information, reflexes to adopt, the government's actions Useful resources and contacts...

It explains, among other things, what behaviour should be adopted, information on transmission, treatment, ways of managing confinement. That is to say, essential information for citizenship.

It also offers a questionnaire to guide citizens according to their state of health and the symptoms they report.



“The Government has not taken any steps to provide any information in the minoritised language, without taking into account the right to health of all citizens”



As for the daily information. The channels used by the Government to inform citizens, both in daily communications to report on the current state, both in social networks, nothing appears in languages other than French.

The Spanish Government has set up a website whose aim is to collect all the information for the public.

This website has the following sections: general questions about covid, advice for day-to-day life, recommendations for health care (recommendations for people with chronic health conditions), emotional well-being and hand hygiene.

Although the website gives the option to choose an official language other than that of the state, all the information is only in Spanish.



“Since the State had ratified the Charter, it was not acceptable for it to disregard native languages.”



The web gives in a very illustrative format 15 documents to answer the general questions; it offers advice and concrete recommendations to avoid the virus and ensure health. It also has infographics and videos (even for children) in order to avoid contagion.

It should be noted that the website offers some documents in English, French, Romanian, Arabic and Chinese: *Covid-19: what to do; Checklist: what to do if you have Covid-19 symptoms ; Recommendations for home isolation in mild cases of Covid and How to shop for essentials? Nothing in Basque language*

* Se trata de la publicación de información sobre el estado de salud de la ciudadanía y no de información sobre el estado de salud de la ciudadanía.

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The Government offers a wide range of resources to citizens: a campaign to help your elderly, sick or disabled neighbours; resources to maintain an active lifestyle; an action guide for women who are suffering from gender-based violence while at home because of the COVID-19 alarm; social measures against the coronavirus... all of this is only in Spanish.



Servicios Sociales

MEDIDAS SOCIALES FRENTE AL CORONAVIRUS (COVID-19)



- Desahucios, alquileres y vivienda: inquilinos y caseros
- Derechos y medidas laborales para trabajadores y trabajadoras
- Trabajadores y trabajadoras del sector agrario
- Consumidores y familias en situación de vulnerabilidad
- Mujeres víctimas de violencia de género, hijos e hijas
- Viviendas: Hipotecas
- Protección a trabajadores y trabajadoras en situación de vulnerabilidad: empleadas del hogar y trabajadoras/as temporales
- Autónomos y autónomas
- Pequeñas y medianas empresas



All the channels used by the Government to provide information to the citizens are exclusively in Spanish. Even the messages of prevention or to improve health in the period of confinement.

Basque Autonomous Community

In the case of the Basque Autonomous Community, the Autonomous Government has set up a website that contains all the information related to the COVID-19: the current situation at the CAB, assistance organisation, solidarity network, FAQs, economic aid, safety information, an app... as well as various downloadable material (posters, videos, etc.). All the information and resources are in Basque.

On the other hand, the public television broadcasts a programme in Basque every morning for primary education students.



7 “We can affirm that in this context citizens have maintained an active attitude towards the violation of their linguistic rights.”



APP through which the violation of linguistic rights has been sent by the citizens

There is a group of complaints that have been passed on to us by citizens many times. This group of complaints concerns the use of Basque in public appearances by government representatives and public institutions.

In many cases, information in Basque has been relegated to second place, both in terms of order and content.

Thus, according to the complaints sent, there have been cases in which, in a hearing lasting almost an hour, only a couple of minutes were communicated in Basque.

In some reports submitted to the Council of Europe on the evaluation of the degree of compliance of the European Charter for Regional or Minority Languages, we have highlighted the shortcomings in the field of health care with regard to the guarantee of linguistic rights.

In this context, the complaints sent by the citizens have highlighted, even more, these deficiencies.

Some examples are:

- I called to make an appointment with the family doctor. Later the substitute called me and could not offer the service in Basque

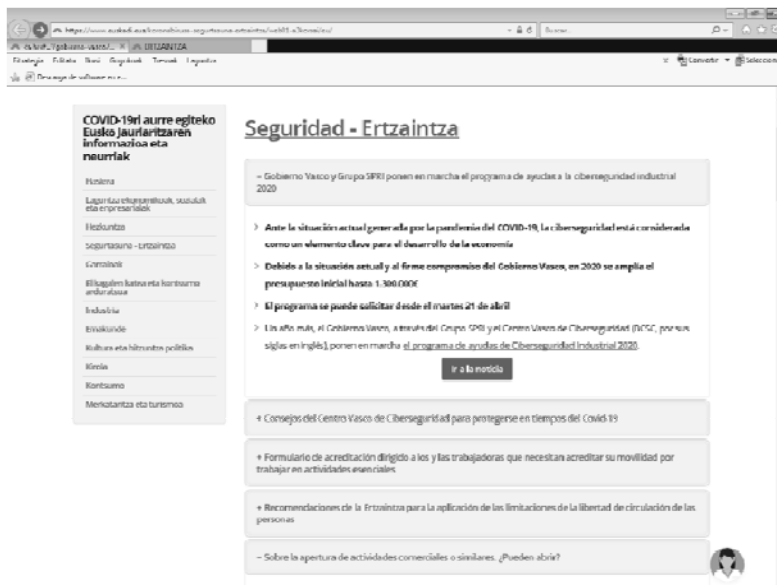
-All the hospital's public address messages are given in Spanish



- I had to call the hospital. The person who attended to me said that he couldn't understand me if I spoke to him in Basque

-Information posters in health centers in Spanish only

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On the other hand, we must take into account that other departments, besides the health department, are giving very important information for the citizens (security, social services...). Several citizens have told us that the compendium of advice, recommendations, information on non-compliance with orders etc. offered by the security department are only in Spanish.

We have also received complaints for written information distributed by agents of the Ertzaintza (Basque autonomous police) written in Spanish and English

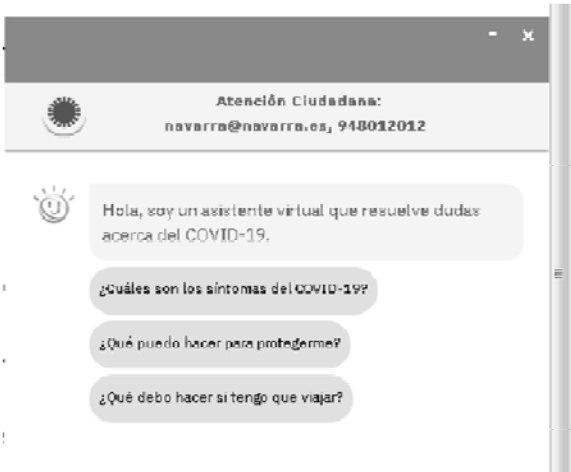
The Government of Navarra's website also has an exclusive section dedicated to COVID-19 with information on the current situation in Navarra, recommendations, services and graphic material.

Most of the information is in Basque, although there are documents and resources only in Spanish, such as waste management in homes, tutorials on rehabilitation exercises for patients...

In several websites, important information regarding the COVID-19 is exclusively in Spanish. For example, on the website for health professionals, information relevant to COVID-19 appears exclusively in Spanish.

On the other hand, the Government has published a guide that answers more than 300 non-healthy FAQs about the COVID-19 in Spanish only. This guide is renewed every time something concerning the COVID-19 but of a non-healthy nature is approved.

The web also offers a virtual assistant, but in this case it does not offer the service in Basque



The Government of Navarre has provided updated information regarding the number of infected people, active cases, hospitalization, ICU, home care, affected health professionals, tests carried out, as well as information on infected people distributed by basic health areas. All this information can only be downloaded in Spanish.



With regard to the information related to COVID-19 and disseminated by departments other than the health department, the shortcomings in the safety department should be highlighted.

Two examples: the official twitter account of the regional police offers all the information exclusively in Spanish. In addition, the police have a youtube channel in which everything is in Spanish.





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OBSERVATORIO DE DERECHOS LINGÜÍSTICOS

OBSERVATOIRE DES DROITS LINGUISTIQUES

OBSERVATORY OF LINGUISTIC RIGHTS



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