

Language Diversity: A Challenge for Europe

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A public meeting hosted by the European Free Alliance in the European Parliament

**"Monitoring the Agreements between the Spanish government
and the EU institutions about the use of Catalan"**

CHECK AGAINST DELIVERY

On behalf of

Horitzó Europa (www.horitzo.eu)

Horitzó Europa (Horizon Europe in Catalan) aims at renewing the enthusiasm for Europe. It is an open and plural, Catalanist and pro-European civil society association legally established in Barcelona since 2007.

Kolja Bienert (speaker)

Is the spokesperson of Horitzó Europa and an international consultant with Saint Germain Consultants.

ENG

Good morning ladies and gentlemen,

First of all, thank you very much for your interest and time. We are here to examine and confer about the language diversity of Europe or, more precisely, the European Union. I shall continue in English after a brief *thanksgiving* to all attendees.

CAT

Senyores, senyors, els agraeixo haver vingut a aquesta conferència a Brussel·les i, també, els voldria agrair l'interès en la temàtica. El reconeixement de la llengua catalana en el si de les institucions de la Unió Europea és un tema cabdal per a la llengua catalana. D'una banda, es tracta del reconeixement de la situació *de facto*, és a dir, difondre que hi ha milions de persones que parlen el català cada dia a l'administració pública, les escoles i les universitats, a l'empresa o pertot arreu. De l'altra, es tracta del reconeixement legal d'aquesta situació en el si de les institucions de la UE que no és comparable amb cap altra llengua no oficial de la UE i cap altra llengua regional i minoritària existent a Europa. Faré la meva intervenció en anglès per assegurar que les altres persones assistents n'entenguin el missatge i perquè sé que la UE i el món fa servir l'anglès com a *lingua franca*. També, perquè considero que el reconeixement de la llengua catalana va més enllà de poder-la fer servir en ocasions puntuals a "Brussel·les / Estrasburg, etc.", com aquesta, ja que, des de la l'associació civil que represento, Horitzó Europa, voldríem aconseguir el reconeixement del català com a llengua plenament oficial de la UE.

FRA

Mesdames et messieurs, je tiens à vous remercier d'être venus et de votre intérêt. Après les remerciements, je vais continuer en anglais pour la compréhension de mon discours.

NED

Geachte dames en heren, het is mij inderdaad een groot genoegen om vandaag aanwezig te zijn in Brussel, op deze conferentie, en ik dank U voor Uw interesse.

So, now, back to English.

My name is Kolja Bienert, I am the spokesperson of *Horitzó Europa* or, in English, European Horizon. I feel honoured to have been invited to confer about the situation of the Catalan language in the EU. More precisely so, I shall inform you about the agreements signed between the Spanish Government and EU institutions regarding the use of Catalan.

My speech will be based on the “Report on the implementation of the agreements between the Government of Spain and the EU on the use of the Catalan language” drafted by our association, Horitzó Europa, back in 2009 and which you can consult in Catalan at [www.horitzo.eu](http://horitzo.eu) (http://horitzo.eu.googlepages.com/estudi_catala_UEgener_2009.pdf).

Horitzó Europa, or Horizon Europe in English, aims at renewing the enthusiasm for Europe. It is an open and plural, Catalanist and pro-European civil society association legally established in Barcelona since 2007. Our association expanded its activities to Brussels in 2009.

What does Horitzó Europa do?

- Dissemination and awareness-raising events
- Media contributions focussing on European matters
- Monthly “European dinners” featuring a distinguished expert who confers about European and international matters from 2004
- Examples: first ever EU-wide EP Lux Cinema Prize 2009 screening, PE Elections 2009 youth vote promotion campaign or the participation in EU consultations such as the 2010 Consultation on the European Citizen’s Initiative.

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The goal: Catalan as a fully official EU language

1) The official status of Catalan in the EU

The long fight of a singular language

Catalan, a singular language

- 9.5 million speakers in an area of 13 million inhabitants in three MS (France, Italy, Spain) and one non-EU state (Andorra)
- Only official language: Andorra
- Co-official status with Castilian: 3 Spanish regions of Catalonia, Balearic Islands, Valencian Community (where Catalan is known as Valencian)
- Officially recognised to some extent: French Département des Pyrénées Orientales, Sardinian city of Alghero (*L'Alguer*)
- Recognition of a certain kind in the eastern strip of the Spanish region of Aragon (according to the recent law of languages)
- No official recognition: Spanish region of Murcia where Catalan is traditionally spoken in the *El Carxe* area.
- Catalan is also at the United Nations by representatives of Andorra.

Catalan, a singular language in Europe and the EU

Thanks to its demography and the active use of the language in all spheres on a daily basis it is fair to say Catalan is different from all regional and minority languages protected by the European Charter for Regional and Minority Languages which was adopted in 1992 under the auspices of the Council of Europe.

Catalan stands out. Both school and university education is conducted in Catalan; the language is omnipresent in public administrations and private companies. Therefore, Catalan being an official language is more about ensuring the status quo rather than foster the use of the language.

For example, my grandparents' mother tongue is Low German. It is also protected under the Charter but I was not schooled in this language and there are hardly any mass-media in this language.

In an EU context, Catalan is more widely spoken than 15 official EU languages (Greek, Portuguese, Czech, Hungarian, Swedish, Bulgarian, Irish Gaelic, Danish, Slovakian, Finnish, Lithuanian, Latvian, Slovenian, Estonian and Maltese).¹

Given the relevance of the Catalan language in internal political debates and everyday life this *soi-disant* internal topic automatically qualifies as a topic of internal EU politics. Many among us know that up to 70 or 75% of laws affecting our everyday life at home are decided in Brussels or Strasbourg. Whatever is important at home is important at EU level.

The Spanish Government under José Luis Rodríguez Zapatero is well aware of this relevance and, therefore, got the support of his counterparts so as to allow for a partially official use of Catalan, Basque and Galician in the EU institutions (Conclusions of the European Council 06-2005).

Before we have a close look at the conclusions, let us have a short look back at the milestone of the status of Catalan in the EU.

December 11th 1990 “Reding resolution”

(A3-169/90 Resolution on languages in the Community and the situation of Catalan)

<http://ec.europa.eu/spain/barcelona/images/documents/catala/a3-169.pdf>

Since 1991 the Representation of the EC in Catalonia and the Balearic Islands (based in Barcelona) communicates and edits publications in Catalan and this resolution also enabled the Parliament of Catalonia to translate the Treaties of Maastricht and Amsterdam into Catalan which were then published by the Publications Office of the European Union. Moreover, the Bureau of the European Parliament in Barcelona also communicates and edits in Catalan thanks this resolution.

Twenty years after this important support by Mrs Reding, who is currently VP of the EC and Commissioner for Justice, Fundamental Rights and Citizenship, it is perhaps a good moment for hoping her current position enables her to help the Catalan language again.

In 2004, the situation of Catalan in the EU changed again in a very positive way as the Spanish Government made a request for a wider use of the language.

¹ *Catalan, language of Europe*. Government of Catalonia, Vice-presidential Department, Language Policy Secretariat. Barcelona: 2008.

The new Spanish PM (ZP) lifted Spain's veto on the Treaty establishing a Constitution for Europe which had been imposed by former PM José María Aznar. The MS thanked Spain and met halfway agreeing to concessions, namely an enlarged phasing out of EU regional policy funds for several regions and increased Spanish voting power at the Council of the EU than the one established by the Treaty of Nice.

On the other hand, the new Spanish Government under PM Zapatero needed the support of Catalan parties for which making Catalan EU Treaty language was an absolute condition. Reaching the status of Treaty language, like Irish Gaelic, was seen as a first important step on the way to having Catalan recognised as a fully official EU language.

Fulfilling this demand entailed the amendment of art. IV-10 of the Treaty establishing a Constitution for Europe which corresponds to the languages in which the EU Treaties are drafted.

2004 Amendment of art. 55 of the Treaty on European Union (now amended by the Treaty of Lisbon)

http://europa.eu/lisbon_treaty/full_text/index_en.htm

The Treaty establishing a Constitution for Europe never entered into force due to the results of referenda in France and the Netherlands. Nevertheless, the amended article on EU Treaty languages survived intact in the art. 55 of the Treaty on European Union and art. 358 of the Treaty on the Functioning of the European Union which are now part of the Treaty of Lisbon.

Nevertheless, the Spanish Government did not request the full status of EU Treaty language but added a second point to art. 55.

“2. This Treaty may also be translated into any other languages as determined by Member States among those which, in accordance with their constitutional order, enjoy official status in all or part of their territory. A certified copy of such translations shall be provided by the Member States concerned to be deposited in the archives of the Council.”

→ Catalan, Basque and Galician are not mentioned explicitly². Said translations were delivered to the Secretary General of the Council of the European Union on 4th November 2004 by the president of the Spanish Government.

² The Spanish Constitution does not officialise other than the Castilian language (art. 3) yet establishes that “the other languages of Spain” have co-official status in the respective autonomous communities (regions), in accordance with

Catalan was asked to be included as a Treaty language under point 1 as a first step on the way to full official status. The Spanish Government, however, claimed negotiations were unsuccessful due to several MS opposing the proposal for fear of other regional and minority languages requesting a similar recognition.

→ Yet, by not explicitly mentioning Catalan, Basque and Galician under point 1 and by adding a more universally applicable second point, a door was actually opened for other languages which “*in accordance with their constitutional order, enjoy official status in all or part of their territory*”.

their statutes. The Constitution does not mention the name of these languages or the autonomous communities referred to.

2) Conclusions of the European Council (06-2005)

A relevant yet timid and bureaucratic step ahead on the long way to fully official status

The use of Catalan, Basque and Galician in the EU advanced again during the Irish Presidency of the European Union and the European Council in June 2005.

On December 14th 2004, the Spanish Minister of Foreign Affairs presented the formal request for wider recognition in the EU of all the official / co-official languages of the Spanish State. Yet, according to the information available, the memorandum did not request that said languages be granted the status of official EU languages.

The Spanish Government claimed that, eventually, the official language status was not reached due to several MS opposing the proposal. Surprisingly so, at the same time and during the Irish Presidency of the EU, Irish Gaelic advanced from Treaty language to official EU language.

Therefore, the request resulted in the following Conclusions of European Council which, again, are an important yet small and bureaucratically complex step ahead on the way to Catalan being a fully official EU language.

June 13th 2005 Conclusions of the European Council on the official use of additional languages within the Council and possibly other Institutions and bodies of the European Union

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2005:148:0001:0002:EN:PDF>

These conclusions relate to languages other than the languages referred to in Council Regulation No 1/1958 whose status is recognised by the Constitution of a Member State on all or part of its territory or the use of which as a national language is authorised by law.

The official use of the languages referred to in paragraph 1 will be authorised at the Council on the basis of an administrative arrangement concluded between the latter and the requesting Member State, and possibly by another Union Institution or body on the basis of a similar administrative arrangement. The Council invites the other Institutions to conclude administrative arrangements on this basis.

1) Translation and dissemination of acts adopted in co-decision by the Council of the EU and the European Parliament. Each MS may produce certified yet not legally non-binding translations and send them to the Council where a copy will be kept (copies available to those interested). The Council will endeavour to publish said translations on its own website.

2) Oral interventions (speeches) to Council meetings and, possibly, meetings of other EU institutions or organs (European Parliament and Committee of the Regions). A MS government may ask for permission to use said languages and this request should be satisfied if the request is made reasonably in advance and when human and material resources allow for it.

3) Written communications between Spanish citizens and the EU Institutions or organs. MS will be able to adopt corresponding acts allowing for said communications in said languages and send them via a responsible body designed by each MS. This body will then send a certified translation into one of the official EU languages to the EU institution or body implied (*mutis mutandis*).

It is noteworthy again that Catalan, Basque and Galician are not mentioned explicitly as the conclusions relate to *“languages other than the languages referred to in Council Regulation No 1/1958 whose status is recognised by the Constitution of a Member State in all or part of its territory and/or the use of which as a national language is authorised by law.”*

The conclusions recognise that using “languages other than ...”, for example Catalan, Basque and Galician, in the relations with the Institutions is important for strengthening identification with the EU’s political project. The use of these languages is authorised on the basis of administrative agreements between the Council (or EU Institutions and bodies) and requesting MS. Associated costs are to be borne by requesting MS.

3) The six administrative agreements signed

A timid initiative not supported by all EU institutions

As a result of the Conclusions of the European Council, six administrative agreements have been signed between the Kingdom of Spain and the EU Institutions or bodies hereunder in order to allow for the use of Catalan, Basque and Galician which are never mentioned explicitly but referred to as “languages other than the languages referred to in Council Regulation No 1/1958 whose status is recognised by the Constitution of a Member State on all or part of its territory or the use of which as a national language is authorised by law.”.

Council of the European Union
Committee of the Regions
European Commission
European Economic and Social Committee
European Ombudsman
Court of Justice of the European Communities

Chronology of agreement signature

November 7th 2005 // Administrative arrangement between the Council of the European Union and the Kingdom of Spain (published in the Official Journal of the European Union of February 17th 2006)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2006:040:0002:0003:EN:PDF>

a) Written communications in Catalan/Basque/Galician from citizens to the Council and vice versa

1. Citizens will have to send written communication to “the body designated by the Spanish Government in charge of sending it to the Secretary General of the Council together with a Castilian translation”. The response period starts upon receipt of said translation.
2. The Council will send a response in Castilian to said body which, then, is in charge of sending a translation into Catalan/Basque/Galician of the response to the citizen.
3. The Council may not be held accountable for the content of said translations

4. If a Spanish citizen writes directly to the Council in Catalan/Basque/Galician, the Council will return it to the sender informing him/her about the possibility to send a communication Catalan/Basque/Galician but via the designated body.

b) Speeches of Spanish representatives in Catalan/Basque/Galician to Council meetings

1. At the start of each semester, the Permanent Representation of Spain to the EU will send to the Secretary General of the Council a tentative list of Council meetings to which the use of Catalan/Basque/Galician may be requested.
2. Not less than 7 weeks before the Council meeting, the Permanent Representation of Spain to the EU will inform the Secretary General of the Council about requests by Spanish representatives to use the Catalan/Basque/Galician in his/her speech to Council meetings (*passive interpretation*). The possibility to use said languages will then be confirmed not less than 2 weeks before the meeting.
3. Received requests will be accepted unless the Secretary General of the Council informs the Permanent Representation of Spain to the EU it does not have the necessary staff or equipment available (after checking with the Directorate General of Interpretation and Conferences)
4. All associated costs are to be borne by the Permanent Representation of Spain to the EU

c) Translation and dissemination of acts adopted in co-decision by the Council and EP

1. The Spanish Government or the designated body may produce certified translations into Catalan/Basque/Galician of said acts as they are published in the Official Journal of the European Union and may send the translations by email to the Secretary General of the Council.
2. The Council will keep the translations in its archives and will provide copies upon in response to citizen requests, if possible, by email.
3. The Council will include a link from its website to the Spanish Government website where said translations may be consulted. The Council website will explicitly state that the EU institutions are not responsible for the translations and that these are not legally-binding.

The agreement will enter into force as soon as the Spanish Government informs the Secretary General of the Council about the designated body, in charge of producing translations of the citizen communications and agreements adopted in co-decision, and as soon the Secretary General informs the Spanish Government it taken the necessary measures to implement the agreement. Both parties will assess the implementation of this agreement in one year.

November 16th 2005 // Administrative agreement between the Committee of the Regions and the Kingdom of Spain (annex 11)

http://ec.europa.eu/spain/barcelona/images/documents/catala/acord_bilateral_comite_de_les_regions_estat_espanyol.pdf

- a) The agreement grants Spanish citizens the possibility to send written communications in Catalan/Basque/Galician to the Committee and foresees the possibility to use Catalan/Basque/Galician in plenary meetings.
- b) Akin to the agreement signed with the Council, written communications will have to be sent to the responsible body to be designated by the Spanish Government in charge of sending a certified Castilian translation of the communication to the Committee.
- c) Unlike the Council of the European Union, if citizens send the communications in Catalan/Basque/Galician directly, the Committee will answer informing that a copy has been sent to the Permanent Representation of Spain to the EU in order to request a certified Castilian translation.
- d) The rest of the provisions of the agreement follow the spirit of the ones featured in the agreement signed with the Council of the European Union.
- e) The agreement will enter into force and will be implemented as soon as the Spanish Government informs the Secretary General of the Committee about the designated body in charge of the necessary translations.

December 21st 2005 // Administrative arrangement between the European Commission and the Kingdom of Spain (published in the Official Journal of the European Union of March 25th 2005)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2006:073:0014:0015:EN:PDF>

- a) The agreement grants Spanish citizens the possibility to send written communications in Catalan/Basque/Galician to the European Commission. Akin to the agreement signed with the Council, written communications will have to be sent to the responsible body to be designated by the Spanish Government in charge of sending a certified Castilian translation of the communication to the Commission. It is noteworthy that the agreement states that the respective services of the Commission may answer directly received citizen communication in Catalan/Basque/Galician if they decided to do so. Nevertheless, the Commission will not be responsible for the possible errors of these direct answers.
- b) The rest of the provisions of the agreement follow the spirit of the ones featured in the agreement signed with the Council of the European Union. All associated costs are to be borne by the Spanish Government. The agreement will enter into force and will be implemented as soon as the Spanish Government informs the Secretary General of the European Commission about the designated body in charge of the necessary translations.

June 7th 2006 // Administrative agreement between the European Economic and Social Committee and the Kingdom of Spain (annex 9)

http://ec.europa.eu/spain/barcelona/images/documents/catala/acord_ces_30maig.pdf

a) The provisions of the agreement are akin to the ones established in the agreement signed with the Council of the European Union. As in the case of the European Commission, the agreement establishes the respective services Economic and Social Committee may answer directly received citizen communication in Catalan/Basque/Galician if they decided to do so. Otherwise, the communication will be sent back to the sender.

November 30th 2006 // Administrative agreement between the European Ombudsman and Kingdom of Spain (annex 10)

http://ec.europa.eu/spain/barcelona/images/documents/catala/acord_administratiu_espanya_defensor_del_poble_europeu.pdf

a) The agreement foresees that Spanish citizens may send written communications in Catalan/Basque/Galician to the Ombudsman via the responsible body to be designated by the Spanish Government in charge of sending a certified Castilian translation of the communication to the Ombudsman. Unlike other EU institutions, the Ombudsman will notify the citizen by means of a standard letter in Catalan/Basque/Galician that the answering communication in Castilian has been sent to the designated body in charge of translation and sending of the reply in Catalan/Basque/Galician. The designated body will also have to inform the Ombudsman about the date of the reply sent to the citizen. If citizens send communications directly to the Ombudsman they will be returned to the sender and together with a standard answer in Catalan/Basque/Galician informing about the communication protocol via the designated body. This standard answer will be provided for initially by the designated body.

b) Moreover, the agreement establishes the provision of complaint forms and further documents of the EU Ombudsman in Catalan/Basque/Galician. Spanish authorities will provide for said complaint forms on websites; the Castilian version of the Ombudsman website will include external links to said complaint forms.

Two months after the publications of the Horitzó Europa report on the implementation of Conclusions of the European Council by means of administrative agreements, the Court of Justice of the European Communities signed a corresponding agreement.

April 21st 2009 // Administrative arrangement between the Court of Justice of the European Communities and the Spanish Government

<http://curia.europa.eu/jcms/upload/docs/application/pdf/2009-05/cp090037en.pdf>

a) *“Spanish citizens, residents of Spain and undertakings established there will now be able to send written communications to the Court of Justice of the European Communities in one of those languages and receive an answer from the Court in the language used. That will not be possible, however, for communications of a judicial nature, those relating to the application of a legal text and those whose purpose is, directly or indirectly, to obtain an advantage (for example, a grant), a benefit (for example, the award of a contract) or a post (for example, a job application).”*

b) The corresponding information for the press no 37/09 refers to the Council and Bureau of Languages, Ministry for Territorial Policies tel. 0034 91 273 90 00, http://www.map.es/documentacion/politica_autonomica/Oficina_Lenguas_Oficiales.html) as being the body designated by the Spanish Government in charge of translation communications from and to Catalan/Basque/Galician.

5) The special case of the European Parliament

True goodwill yet no legal enforcement

Despite the request of the Spanish Government of September 2005 –which asked for allowing the use of said languages in speeches of Spanish representatives to plenary meetings, written communications as well as translation and dissemination of acts adopted in co-decision by EP and Council– the EP has not yet signed a similar administrative agreement. According to EP sources, the EP does not sign agreements with MS or MS Governments.

Nevertheless, the European Parliament decided the following in order to implement the Conclusions of the European Council at least partially.

July 3rd 2006 // Decision of the Bureau of the European Parliament ³ (proceeding 14, annex 11) <http://webs2002.uab.es/ce-documentacio-europea/Annex/PE%20Mesa.pdf>

- a) EP accepts or assumes, whenever possible, the direct management by the EP of written communications of citizens in said languages (translation costs involved are to be borne by the Spanish Government)
- b) EP accepts that the Spanish Government translates and disseminates, on its own responsibility, acts adopted in co-decision by the EP and Council and that the EP website refers to said translations by means of links.
- c) The EP commits to check the implementation of these decisions in one year.

In the special case of the European Parliament, the wording of the Decision of the Meeting of the Bureau of the European Parliament exempts it of all responsibilities for the current situation. Nevertheless, it is striking that said decision of this EU Institution which is considered the voice of the citizens does not foresee the ability to hold speeches in Catalan/Basque/Galician to plenary sessions.

³ The Bureau consists of the President of the European Parliament, the 14 Vice-Presidents and the five *Quaestors* elected by Parliament for a period of two and a half years (which can be renewed).

5) Implementation of the agreements

De iure & de facto

It is fair and necessary to highlight that at least the European Commission and the European Parliament have always shown very much goodwill in order to use Catalan in publications and other occasions even without any legal obligation to do so (i.e. new Catalan language websites of the Representation of the European Commission to Catalonia and the Balearic Islands or the Bureau of the European Parliament, both located in Barcelona). Another prominent example is the featuring of a Catalan language version in the forums of the 2008 Debate Europe Forum (http://europa.eu/debateeurope/index_ca.htm). One forum in each of the 23 official EU languages (+ one forum Catalan); and of all forums the Catalan language one was the second / third / fourth most active of all forums.

General assessment of the agreements

Nevertheless, the before-mentioned agreements represent an improvement of the previous situation *de iure* but a step backwards, as far as the situation *de facto* is concerned. For instance, the European Commission used to and still provides answers in Catalan whenever possible and depending of the availability of Catalan-speaking staff before the signature of the presented administrative agreement. Our association is not able to tell whether the situation in the case of the use of Basque and Galician. This goodwill and partial ability to answer directly casts a sharp light on the factual need of a designated body in charge of producing translations of citizen communications, at least in the case of the European Commission.

On the way to the recognition of Catalan as a fully official EU language, the first step was to ask for Catalan being an EU Treaty language. Yet, the 2004 Amendment of art. 55 of the Treaty on European Union (now amended by the Treaty of Lisbon) did not achieve this, mainly because the Spanish Government did not request it.

The administrative agreements signed are not legally-binding, no certified translation of official acts to be produced will have the status of law and the agreements establish conditions some might consider humiliating up to certain extent.

For instance, the mere ability to ask for permission to hold speeches in Catalan/Basque/Galician to meetings of the European Council and the Committee of the

Regions foresees a request will have to be sent 7 (seven) weeks in advance and may be denied only two weeks before the speech.

Technical assessment of the agreements signed

1) To this day all administrative agreements signed are inoperative, at least as far as written communications are concerned; as far as our association knows the Spanish Government has not yet designated the competent body in charge of producing the necessary certified translation of citizen communications received in Catalan/Basque/Galician and EU Institution answers received in one of the official EU languages. Yet, precisely the designation of this body is the prerequisite for the entry into force of the provisions regarding the written communications.

In the case of the Council of the European Union it has to be highlighted that there is no information available on whether the Secretary General has informed the Spanish Government that the necessary measures have been taken in order to implement the signed agreement. Being this another prerequisite of the implementation of the agreement it is to be deduced that this EU Institution is also responsible for the current situation.

2) Two agreements are being implemented up to a certain extent, namely the ones signed with the Council of the European Union and the Committee of the Regions, regarding the ability to address speeches in Catalan to meetings. Catalan has been used by political representatives at least 3 times.

3) As for acts adopted in co-decision by the Council of the European Union and European Parliament no translation has been produced so far neither has the Council informed about present or future links to said translations on its website.

4) The Castilian version of the European Ombudsman website does not feature complaint forms Catalan/Basque/Galician –by means of links to external Spanish Government websites- and no documents of the EU Ombudsman are published on the website proper. Moreover, no standard answer letter in Catalan/Basque/Galician is sent when citizen communications are answered directly.

5) The assessment of the state of implementation one year after entry into force of the agreement was not carried out in the case of the agreement featuring this provision, namely, in the case the Council of the EU. However, if the agreements have not technically entered into

force due to the circumstances described under point 1, one may argue the assessment is not due.

Assessment of the 2005 Conclusions of the European Council

On the basis of these conclusions, the Council invites the other Institutions to conclude administrative arrangements regarding the official use of additional languages. Yet, we have seen so far that the European Parliament has not signed any agreement and the Court of Justice of the European Communities only did so years later (2009).

The official use of the languages were to be authorised at the Council on the basis of an administrative arrangement concluded between the latter and the requesting Member State, and possibly by another Union Institution or body on the basis of a similar administrative arrangement.

Technically, EU Institutions other than the Council are not obliged to sign corresponding agreements on the basis of this wording. Nevertheless, let us now reassess these conclusions.

1) Translation and dissemination of acts adopted in co-decision by the Council of the EU and the European Parliament. The agreement signed only foresees the Council will include a link from its website to the Spanish Government website where said translations may be consulted whereas the conclusions did foresee the publication of certified translations on the Council website proper. Nevertheless, to this day not a single act has been translated and published, neither on the Council website or through a direct link to external websites.

2) Oral interventions (speeches) to Council meetings and, possibly, meetings of other EU institutions or organs (European Parliament and Committee of the Regions). This provision is only implemented in the case of the European Council and the Committee of the Regions as the European Parliament, be it by means of the Bureau decision or other, does not allow for speeches to be held in languages different from the official EU languages.

3) Written communications between Spanish citizens and the EU Institutions or organs. This provision is not implemented as the Spanish government has not yet designated the competent body, at least according to the information available to the citizens and the EU Institutions.

The 2009 report of our association on the implementation of the agreements aimed at assessing the status quo.

It received criticism from one specific political sector which claimed the agreements were being implemented successfully if one takes into account the speeches in Catalan/Basque/Galician in

meetings of the Committee of the Regions. It was also said that EU Institutions were already responding to citizen communications in Catalan following the established mechanisms.

In order to reassess our assessment, the members of Horitzó Europa started a grass-roots campaign in which individual citizens wrote to EU Institutions in Catalan asking for the state of implementation of the agreements. By doing so, we wanted to a) check whether the response mechanism to citizen communications was in place and b) to check with every single institution whether the agreements had entered into force.

The following chart you will see on the screen gives you a detailed overview of the results.

EU Institution	Sent	Arrived	Answered	Answer language	Message	Implementation status
Court of Justice of the European Communities	29/09/2009		18/11/2009	Castilian	Agreement not entered into force.	Inoperative
European Economic and Social Committee		16/09/2009	14/10/2009	French	Need to write to competent body (= Permanent Representation of Spain to the EU) which received a copy of the original communication in order to reply in Catalan to the sender (no reply received). In order to know about the status of implementation of agreements, please contact the Spanish Ministry of Foreign Affairs and Cooperation.	Inoperative
European Ombudsman	29/09/2009			Catalan (translated by Secretaria de Política Lingüística, Government of Catalonia)	Informs about the provisions of the agreement without confirming status of implementation. Ombudsman documents not yet available in Catalan.	Inoperative
Committee of the Regions	17/09/2009	Oct 2009 (mid)			No reply	Operative only in the field of speeches to plenary meetings.
European Commission	Dec 2010	18/01/2010			No reply	
Council of the EU	02/02/2010		08/02/2010	Castilian	Need to write to competent body (= Permanent Representation of Spain to the EU) which received a copy of the original communication in order to reply in Catalan to the sender; no reply received).	Operative only in the field of speeches to meetings.

a) The response mechanism remains unclear as far as the designated body in charge of translations is concerned. The only answer received in Catalan (European Ombudsman) was sent through the Government of Catalonia which has never been designated as the body in charge.

The European Economic and Social Committee and the Council of the European Union refer to the Permanent Representation of Spain to the EU as being the designated body. Nevertheless, this designation has not been officially communicated. Furthermore, this designation is contradicted by the information published by Court of Justice of the European Communities stating the Council and Bureau of Languages of the Spanish Ministry for Territorial Policies is the designated body.

Following the instructions of the European Ombudsman reply, Horitzó Europa endeavoured to ask the Permanent Representation to confirm this designation in written form but has not received any reply to the email request sent on February 23rd 2010.

b) Apart from the Court of Justice of the European Communities responding the agreement signed on April 27th 2009 had not entered into force, none of the other EU Institutions confirms in written form that the signed agreements have entered into force or were being implemented.

6) Conclusions

The goal: Catalan as a fully official EU language

Despite the true goodwill and efforts of all EU Institutions implied, the legal situation of the Catalan language in the EU is far from being in accordance with its demographic situation, its vitality and its legal recognition at home.

The administrative agreements we just examined were seen as and supposed to be an advance in the legal recognition of Catalan in EU Institutions. Let me remind you that their aim was to provide a legal shelter for the existing use and expand the future use of Catalan in relations with the EU Institutions. Yet they have resulted, so far, in a standstill or even a decline.

Neither did the 2005 Conclusions of the European Council nor the agreements envisage the status of Catalan as a fully official EU Treaty language or official EU language even if this was a prerequisite for Catalan parties' political support for PM José Luis Rodríguez Zapatero.

And the agreements are not a satisfying interim solution on the way fully official EU language status either as only 10% of all provisions is being implemented, at best. Yet, even if all agreements entered into force and were fully implemented, Catalan would still be almost invisible in EU matters and documents as it is never referred to explicitly.

Our association and many others claim the EU official language status for Catalan not only for using the language in EU Institutions in Brussels, Luxemburg and Strasburg but also because of the increasing relevance of EU decisions at home. Approximately 70% of all laws affecting our everyday lives are based on EU legislation. We should bear in mind that EU legislation is exclusively implemented in the official EU languages and until Catalan reaches this status, the implementation of said decisions in Catalan language will remain subject to the goodwill of the Spanish Government.

In this context, our association Horitzó Europa drafted a roadmap towards full recognition of Catalan as official EU language which was presented on February 24th 2010 here at the European Parliament. Its final goal is amendment of the Council regulation 1/58 establishing the official EU official languages which could be achieved as soon as Croatia or Iceland join the EU (possibly in 2012) and the Regulation has to be amended.

Catalan MEP Maria Badia, Oriol Junqueras, Ramon Tremosa and Raül Romeva (members of political parties representing 90 % of the seats in the Parliament of Catalonia) signed the roadmap and confirmed their support publicly.

Of course both the 20th anniversary of the Reading Resolution on minority languages and Catalan as well as Spain's current presidency of the EU (the only MS which counts as a Catalan as an official language; <http://www.eu2010.es/ca/index.html?idioma=ca>) make this initiative timely relevant.

The five points of the roadmap of Catalan in the EU Institutions are:

- 1) To enforce the agreements allowing for the use of Catalan in EU institution by European citizens signed between the Kingdom of Spain and the European Parliament, the Council, the European Ombudsman and The European Commission.
- 2) To enforce the conclusions of the European Council of June 2005 were it was agreed to allow for the use of Catalan in plenary sessions of the European Parliament.
- 3) To broaden said agreements in order to facilitate relations with the Europe's Catalan-speaking citizens.
- 4) Translation into Catalan of the website www.europa.eu
- 5) To maintain the posts for Catalan translators in Brussels and in the Representation of the European Commission in Barcelona.

In order to make Catalan a fully official EU language, the Spanish Government only has to ask for it. On the occasion of the current Spanish Presidency of the Council of the European Union (first half of 2010) our association –Horitzó Europa– kindly invites the Spanish Government to make the corresponding request.

Thank your very much for your attention.