



Enabling Minority Languages

Ned Thomas





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Democratic
Progress
Institute

February 2013



Published by
Democratic Progress Institute
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London WC1N 1DH
United Kingdom

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First published, 2012

ISBN: 978-1-905592-63-0

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Foreword

DPI aims to foster an environment in which different parties share information, ideas, knowledge and concerns connected to the development of democratic solutions and outcomes. Our work supports the development of a pluralistic political arena capable of generating consensus and ownership over work on key issues surrounding democratic solutions at political and local levels.

We focus on providing expertise and practical frameworks to encourage stronger public debates and involvements in promoting peace and democracy building internationally. Within this context DPI aims to contribute to the establishment of a structured public dialogue on peace and democratic advancement, as well as to create new and widen existing platforms for discussions on peace and democracy building. In order to achieve this we seek to encourage an environment of inclusive, frank, structured discussions whereby different parties are in the position to openly share knowledge, concerns and suggestions for democracy building and strengthening across multiple levels. DPI's objective throughout this process is to identify common priorities and develop innovative approaches to participate in and influence the process of finding democratic solutions. DPI also aims to support and strengthen collaboration between academics, civil society and policy-makers through its projects and output. Comparative studies of relevant situations are seen as an effective tool for ensuring that the mistakes of others are not repeated or perpetuated. Therefore we see comparative analysis of models of peace and democracy building to be central to the achievement of our aims and objectives.

Linguistic minorities and the majorities with whom they co-exist have traditionally been embroiled in conflict. In the last decades of the twentieth-century the European Union opened dialogue with, and offered support to the minorities in the context of an emerging European citizenship and deeper European integration. Although the process of EU integration has faltered, at least in the short term, this paper argues that the placing of minority languages within a comparative framework and a wider context of cultural diversity has become more relevant within a globalising economy, and that the earlier European experience deserves revisiting and may call for some rethinking by majorities and minorities of the way they think of each other.

With thanks to Ned Thomas,¹ the author of this paper.

Democratic Progress Institute

February 2013

1 Ned Thomas is the Founder and President of the Mercator Institute for Media, Languages and Culture, at Aberystwyth University in Wales. He was also, at different times, President of Welsh PEN, and a board member of Academi, which is now called Literature Wales, both literary associations of writers. Ned Thomas' previous roles and achievements include his position on the Board of the European Bureau for Lesser-Used Languages at the time of drafting of Council of Europe's Charter of Regional or Minority Languages, as well as his position on the drafting committee of the Universal Declaration of Linguistic Rights. Additionally, he is Former Director of the University of Wales Press, and the Founder-Editor of the English-language cultural magazine Planet - the Welsh Internationalist. His book in English, The Welsh Extremist - A Culture in Crisis (1971), was influential in the 1970s Welsh language movement, and his recent memoir, Bydoedd, was awarded Welsh-language Book of the Year in 2011. Ned Thomas has taught at Aberystwyth University in Wales; at the University of Salamanca in Spain and at Moscow State University, and was for a short period at the Maitre de Conférences at the École des Hautes Études en Sciences Sociales in Paris. He has also been a journalist with Times Newspapers and Editor of the British Government's Russian-language quarterly magazine Angliya.

Introduction

Linguistic minorities and the majorities with whom they co-exist have traditionally fought their battles and argued their cases within the framework of individual nation-states; or if they were cross-border minorities have become embroiled in wider conflicts. But in the last decades of the twentieth-century the European Union opened a dialogue with, and offered a small amount of support to the minorities themselves in the context of an emerging European citizenship and deeper European integration.

At the same time a conversation among the minorities themselves was made possible by the networking opportunities which the new European programme offered. This led to an increased awareness among the minorities of the wide range of possibilities and models which existed in respect of language institutions, some of which might be adapted and prove useful in their own situations. While it could not take the place of political activism and campaigning for legal rights, this more detailed and comparative discussion drew attention to a whole range of possible enabling and language planning measures which could benefit minority-language communities.

Although the process of EU integration has faltered, at least in the short term, this paper argues that the placing of minority languages within a comparative framework and a wider context of cultural

diversity has become more relevant within a globalising economy, and that the earlier European experience deserves revisiting and may call for some rethinking by majorities and minorities of the way they think of each other.

An Historical Overview

In the early 1980s the European Union developed a small programme and budget-line in support of what were described, in an attempt to avoid more controversial terms, as ‘lesser-used languages’. The languages concerned were those called, in a later European terminology, ‘regional or minority languages’. The terms themselves have always been contested, and some within the minorities themselves prefer the more militant term ‘minoritised languages’. Many EU member-states use the definition contained in the Council of Europe’s European Charter for Regional or Minority Languages. This defines them as the languages ‘traditionally used by part of the population in a state, but which are not dialects of the official state languages, migrant languages or artificially created languages.’

In the first period initiatives in favour of these languages were put on the EU agenda by the European Parliament and articulated in non-legally-binding documents. The Council of Ministers of the EU did not identify the protection of minorities as a EU priority until the 1990s, and the European Commission, caught in the middle, had to find ways of responding to Parliament’s

resolutions under the headings of education and culture while avoiding questions of autonomy and legal and constitutional arrangements. From the point of view of international law and the legal protection of minorities, this was a severe limitation, but it had one interesting and, in my view, positive consequence. While international conventions and treaties that mention minorities are inevitably drawn up by nation-state governments, the European Commission in the 1980s, responding to the initiatives of the European Parliament, had to find ways of consulting the minorities themselves.

Moving the discussion to the European level involved a fundamental conceptual shift for all concerned. The arrival of the first directly-elected European Parliament in 1979 seemed to move the EU in the direction of a common European citizenship, and many officials within the European Commission also thought in these terms. If all were to be European citizens, how could some citizens be accorded fewer rights than others in relation to the use of their own first languages? In this perspective, regionalism within Europe would replace separatism within the nation-state, and trans-frontier cooperation would gradually dissolve the problems of trans-frontier minorities. The new Europe would provide the safety-net. But this discussion, of course, still involved relatively small numbers of people and underestimated the continuing popular appeal and political strength of nation-state nationalism and the resistance in some countries to deeper European integration, at least in the short-term.

The Council of Europe had already opened up the discussion of minorities, and thinking within the European Parliament was closely aligned with and fed into the Council's *European Charter for Regional or Minority Languages*. There was indeed a strong overlap between those active in the field of EU minorities and those who helped prepare the Council of Europe's Charter. Discussion of the Charter began in the 1980s although it was 1992 before it was formally adopted and 1998 before it became effective on signature by the first five countries. It is the main legal instrument of the Council of Europe for the protection and promotion of regional or minority languages in all those member-states which sign and ratify. As such, it of course reaches far beyond the borders of the European Union.

Although the Charter set low minimum standards, its menu-driven format allowed those countries who signed and ratified to do so at whatever level of provision already existed for given minority languages within their territories. Signatory states thus set their own norms which from the point of view of international law must be a weakness. Yet the Charter is of interest when seen as the end-product of this early period which worked at the European level by encouragement, enablement and networking, and consultation on priorities with the minorities themselves. The regular reporting and monitoring arrangements for the Charter also allow for the progressive raising of standards, and minor adjustments in favour of minorities have taken place over the years as a result. It is also

interesting that although the text of that Charter was drafted in the full Parliamentary Assembly of the Council of Europe, it was based on the recommendations of the Council's Standing Conference of Local and Regional Authorities. Once more ideas are seen surfacing directly from the sub-national level to the supra-national level.

To this same period belongs the Universal Declaration of Linguistic Rights (also known as the Barcelona Declaration), work on which started in early 1994 and which was adopted at a world conference of NGOs held in June 1996 and presented to UNESCO. This was an initiative of the Translations and Linguistic Rights Committee of the writers' organisation International PEN, and was drafted by a team of experts from the minorities themselves led by the CIEMEN Foundation in Barcelona, an institution which was also active in promoting the whole range of European initiatives discussed in this paper. The Declaration was global in its reach and therefore necessarily more general in its provisions than the European Charter, but also more absolute in its claims for the rights of all languages. It modelled itself on the Universal Declaration of Human Rights but set out to balance individual with group rights. It has not been formally adopted by UNESCO despite the declared support of several nation-states, nor did it succeed in its aim of establishing a Council of the Languages within the United Nations, and it has no legal force. The Declaration nevertheless achieved a certain moral status, enlisting the support of a whole range of Nobel prizewinners and world figures including Nelson Mandela and the Dalai Lama.

But within the EU from the mid 1990s onwards the specific focus on linguistic minorities and their languages became increasingly blurred, and for a variety of reasons: the indigenous minorities were allowed to participate in major European programmes from which they had initially been excluded, for example in the fields of education and media; and the special budget-line and programme was eventually subsumed into a more general EU programme of multilingualism which also encompassed smaller state languages and speakers of migrant languages. Equal treatment thus took the place of a programme which aimed, however minimally, to make good centuries of discrimination and redress uneven development.

The immediate losers in this shift were the smaller indigenous minority language-groups who needed the protection of a dedicated and ring-fenced programme and lacked the means to enter into mainstream European programmes which require substantial matching funding. The larger minorities, and particularly those with autonomous governments, had gained enough ground to be able to participate at least to some small extent in European programmes. Later, with the enlargement of the EU eastward, these sometimes found partners among the smaller nation-states of the Baltic and Central and Eastern Europe who often had a history of linguistic survival against the odds and were demographically and economically comparable to themselves. Nevertheless this shift represented a stepping back by the European institutions from taking direct political responsibility for those of their citizens

who spoke indigenous languages other than those of the nation-states. And the concept of restitutive measures to undo the effects of uneven cultural development seemed to have been set aside for the moment.

The Yugoslav wars of the 1990s and EU enlargement towards the East brought minorities to the top of the EU agenda but the approach this time was quite different. The emphasis was political and legal and the initiative came from the member-state governments as a response to events on the EU's eastern borders. Where previously the Parliament had consulted the minorities themselves on the basis of citizens' rights within the existing states of the European Union, it was the EU governments who now set norms for nation-states in Central and Eastern Europe which wished to join the EU. One may note that while in the first phase many of the linguistic minorities within the EU were speakers of languages which were not official in any nation-state (Catalan, Basque, Galician, Welsh, Frisian, Breton), the great majority of linguistic minorities in Central and Eastern Europe were cross-border minorities, speaking a language which was official elsewhere – which immediately brought the risk of inter-state conflict if some guarantees for cross-border minorities were not set in place. Where the *European Charter for Regional or Minority Languages* can be seen as the end-product of the earlier period of the 1980s, the *Framework Convention for the Protection of National Minorities*, prepared in the early 1990s and ready for signature in 1995, belongs to the second and is clearly directly at Central and Eastern Europe.

In June 1993 the European Council, meeting in Copenhagen, decided that countries in Central and Eastern Europe that so desired might apply to become members of the European Union, and established the conditions which those candidate countries had to fulfil prior to accession. These included respect for and protection of minorities. From now on ‘conditionality’ would become part of EU accession strategy. But the same conditions did not apply to existing member-states - which demonstrates that the emphasis was no longer internal and on citizenship. The Council of Europe’s *Charter of Regional or Regional or Minority Languages* was made a point of reference but not an entirely convincing one when such an important founder member of the EU as France had not ratified it.

In effect, the political climate had changed and side by side with enlargement the drive towards internal European integration had faltered. The Lisbon Treaty of 2009 ensured that culture would remain a responsibility mainly of the nation-states while the Charter of Fundamental Rights of the European Union which came into force at the same time made only one very general reference to linguistic diversity – ‘The Union shall respect cultural, religious and linguistic diversity’ - and carried no reference to languages in those clauses which deal, for example, with education and freedom of expression. The earlier years deserve a closer look, however, since they laid down ways of looking at linguistic minorities and their needs.

Early Resolutions in the European Parliament

The first direct elections to the European Parliament took place in 1979 and that same year Gaetano Arfé, an Italian Socialist Member of the European Parliament called for a charter of ethnic minorities. Arfé himself came from an early background in the wartime anti-Fascist resistance movement *Giustizia e Libertà*, left-wing but non-Communist and anti-authoritarian, whose emphasis on local and regional autonomy was a reaction against Mussolini's imposed and dictatorial central government. There was therefore a deeply democratic impulse behind the support for pluralism. At the same time Italy was familiar with conflicts around cross-border language groups. The policy of Italianization in the Germanophone area of South Tyrol was reasserted after the end of the war and had provoked continuing conflict, while the rights of the Slovenes of Trieste, Gorizia and Udine were bound up with the treatment of the remaining Italian-speakers in Istria within Yugoslavia. It was only in the 1970s that international agreements had been reached which protected the German-speaking and Slovene-speaking minorities within Italy.

In 1981 Arfé proposed a formal resolution, the *Arfé Resolution on a Community Charter of Regional Languages and Cultures and on a Charter of Rights of Ethnic Minorities*. In adopting the resolution the Parliament referred to 'the resurgence of special movements in ethnic and linguistic minorities aimed at bringing about a deeper understanding and recognition of their historical identity' and

asked that their cultures be regarded as a source of enrichment for European civilization in general. The 1970s had seen small but active ‘liberation movements’ within France (particularly in Brittany and Corsica); the United Kingdom witnessed the growth of Scottish nationalism, a militant though non-violent language movement in Wales, and inter-communal violence in Northern Ireland. Although Spain would not enter the EU until 1986, it had already applied for membership in 1977 and everyone would have been aware of the conflict in the Spanish Basque Country which had not abated after General Franco’s death in 1975. The treatment of the indigenous languages was in varying degree a factor in all these situations.

The duality in the resolution’s title, however, reflected two different approaches within the European Parliament to the rights of minorities – one stressing ethnicity and political autonomy, the other language and culture. Parallel working parties were set up and more than one proposal was put forward for a charter of ethnic or group rights to be fully incorporated into the structures of the European Communities, but a majority at the time felt that this approach would run into too many political difficulties and might even require changes to the founding treaties, so that it was the linguistic and cultural emphasis which prevailed, leading to the second Arfé Resolution of 1983. This was based on the assumption that language questions could, to some extent at least, be decoupled from straight political questions. One of the strongest proponents

of this point of view was the Northern Ireland MEP John Hume, and Ireland was to play an important role in the first decade of the new 'lesser-used languages' programme.

The Irish language was unique in being both an official language of the Republic of Ireland and at the same time *de facto* a minority language within the Republic's own borders, as well as within the United Kingdom where it was at that time discriminated against. The support of the Irish State for the lesser-used languages programme of the European Parliament gave that initiative a voice within the European Commission which must have been influential. But the driving force was the continuing pressure from within the European Parliament.

In 1983 a cross-party Intergroup for lesser-used languages was set up in the Parliament. EU-wide a substantial number of MEPs represented areas in which minority languages were spoken and even if the parties they represented were not always entirely friendly to their minorities at the nation-state level, in a European context these members often felt freer to champion the minority languages. There were also linguistic groups represented in the European Parliament who no longer considered themselves minorities but had been through the same historical experience. The support of Ireland has already been mentioned. In 1987 the European Parliament passed the Kuijpers Resolution of 1987 in support of lesser-used languages. Willy Kuijpers was a Belgian MEP from

Flanders where Dutch/Flemish had historically been treated as a minority language. He became a supporter of minorities inside and outside the EU and the resolution which carries his name was more far-reaching and more specific than Arfé and made detailed demands for the support of minority languages, above all in the fields of education, the mass media and in the various legal, social and economic fields in which the citizen has to deal with the public authorities. These thematic fields became the template for the discussion of minority languages within the EU.

The Commission, the European Bureau and the Mercator Centres

As a result of the resolutions in the European Parliament, the European Commission was required to set up and administer a programme of support for 'lesser-used languages'. It faced two related problems at the very start – how to obtain dependable information about the minority language-groups, and how to consult them about their needs and aspirations. It started by commissioning a basic survey of the field, a more difficult task than might at first be supposed.

Which were the minority languages concerned, how many people spoke these languages and where exactly did they live? Even basic statistical information was not in all cases easy to assemble. Questions about language were not always asked in nation-state censuses, and where they were, the results had to be interpreted in

the light of the prevailing conditions – members of minorities do not always find it prudent to claim knowledge of their own language or may not feel confident of their ability to speak it. Some minorities favour a self-definition which is ethnic rather than linguistic so as to include those who identify with the history, territory and way of life even though they may have lost the languages concerned. Then again the definition of a language as against a dialect is sometimes contested – linguists do not always draw the lines of demarcation in the same places as politicians or even speakers themselves. Where administrative regions do not coincide with linguistic geography the official description may differ in adjacent territories (is Valencian another name for Catalan, or a separate language?) and in Greece the very existence of minorities other than the Turkish minority (which is the subject of an international treaty) was long denied. At one stage, the European Commission worked with a panel of eminent geographers to create a map of European linguistic minorities which in the end it was unable to publish, so politically sensitive was the matter for some member-states. Despite all the initial difficulties, however, the lesser-used language-groups were listed, statistics (whether official or estimated) compiled, and information about them refined as the Commission succeeded in its second task of finding a way to consult the minority language-groups themselves.

This was done by instigating the creation of a Europe-wide consultative body and promotional agency, the European Bureau for Lesser-Used Languages (EBLUL), which came into being in

1982 and continued in existence until 2010. It had a committee in each nation-state made up of representatives of the minority language communities, and a Board elected by the member-state committees which operated at EU level and had an office (initially in Dublin and supported by the Irish Government, later in Brussels). The composition of the member-state committees varied and to my knowledge has not been studied in any detail. In many states the EBLUL committees could truly be described as NGOs and excluded public bodies, but in the UK, for example, local government representatives predominated alongside arm's-length public bodies and voluntary organisations.

Modest financial contributions from the Republic of Ireland, the Provincial Government of Friesland (in the Netherlands) and other regional sources helped the Bureau at different times but funding came overwhelmingly from the European Union itself for projects which the Bureau administered, and for networking between the minorities. The allowance in the project budgets for administration together with the networking moneys allowed the Bureau to give time to lobbying the various European institutions which were its ultimate paymasters. A networking programme took generations of 'multipliers' in the minorities on study-visits to other language-groups which had a definite impact as did the lobbying role of the Bureau's central officers and long-serving Irish Secretary-General, Donall O'Riagain who was also a key figure in the history of the Council of Europe's Charter. But the total budget-line for the

‘lesser-used languages’ was very modest, rising from an annual 100,000 euros in 1983 to four million euros in the mid 1990s, nor did it ever achieve the security of a five-year programme.

In recent years EBLUL’s roles have only partly been taken over by the Network to Promote Linguistic Diversity which receives some European funding at a far lower level but whose full members are better able to lend financial support. These are the governments of autonomous regions which have a strong linguistic profile (or their language agencies) plus, at the time of writing, one small nation-state government, that of Estonia. Other language-groups and institutions are able to join as associate members (paying a lower subscription) but do not have the same voting strength. Nor at the time of writing do the present associate members reflect the full range of minority language-groups earlier represented in EBLUL. Notably absent are the smaller groups and those not well-equipped with institutions of their own.

Following the Kuijpers Resolution of 1987 European funding was also made available for a network of four thematic research centres to work on EU minority languages and entitled the Mercator Network. A centre proposed for siting within France was to undertake general studies in the minorities field but had difficulty in finding a permanent institutional home and was eventually discontinued. The other three centres were set up to deal with language legislation (CIEMEN Foundation in Catalunya, ES),

Education (Fryske Akademy in Friesland, NL) and Media of all kinds (Aberystwyth University in Wales, UK). Here again we see the work being placed in the hands of institutions within the minority cultures rather than given to a large academic institution in a nation-state capital for whom the minorities would be simply objects of study. In the hands of the minorities, the network's research became action research and each centre developed its own thematic network, organising conferences and exchanges. Unlike EBLUL the Mercator Network has survived but only by adapting to the policy shift in the EU towards a more general agenda of multilingualism and diversity. Today's Mercator Network (which has added two further institutions) has extended its remit beyond regional or minority languages to include migrant and smaller state languages as well.

Conceptualising linguistic minorities

The range of linguistic communities and situations revealed by the European Commission's early survey and first decade of activity was very varied indeed. At one end of the spectrum were relatively large and compact linguistic territories whose inhabitants regard themselves as historic nations, for example Catalunya. At the other end were small territorial pockets of speakers isolated from the home territories of their languages such as the Greek or Croat or Albanian-speaking villages in Southern Italy. In between were regions which in very varying degrees championed and supported their historic languages although these were not spoken by a

majority of their inhabitants – Wales in the UK, Friesland in the Netherlands, Euskadi (the autonomous Basque provinces in Spain); but also some regions where the minority had to look for support and protection to the central government against the perceived hostility of its own regional government. There were cross-border minorities whose language was everywhere minoritarian, and others which spoke a language which was official on the other side of the border. Some minorities were present in more than one region of a given nation-state but with differing levels of recognition.

One could not make general political assumptions. Not all ‘historic nations’ had the same aspiration to statehood, although this could change over time of course, and in some places autonomy appeared to offer an acceptable and stable solution. The Val d’Aosta in Italy seemed to enjoy a degree of autonomy and bilingualism which suited it very well, and before Finland could enter the EU in 1995 even the principle of the free movement of people and capital built into the foundations of the European Union had to be modified to meet the guarantees of autonomy and linguistic integrity enjoyed by the Swedish-speaking Åland Islands. Everywhere the situation of the linguistic minorities had to be understood in relation to a given unique history and to attitudes within the nation-state in which they found themselves.

Could all this variety be addressed by one set of policies? Did it even make sense to posit a single category of ‘lesser-used languages’?

Those of us who moved around the European minorities in the period with which we are concerned became very conscious of these historical and situational differences but also of common ground in the human experience and group-psychology of being a minority: people saying that they experienced a kind of reverse exile, not leaving their country so much as their country leaving them, as the linguistic character of a region changed; the lack of confidence and internalised feelings of inferiority which the disparaging treatment of one's language could produce; the countervailing drive to transmit the values of the family and community across generations often against the grain of the prevailing education system; the dedication and the voluntary effort which these cultures could command at all levels of society. These things one immediately and intuitively understood if one came from another linguistic minority, but it amounted to less than a rationale for the European programme. Fortunately this was supplied by the *Euromosaic* report.

The Commission, in its own words, decided in 1992:

'...to examine the potential for expanding the use of regional and minority languages, and the barriers they face in this respect. The study identified the social and institutional variables that provide the context for the continuing use of a language, and which create the conditions for expanding its use..... The team behind the study compiled more than 50 reports on regional and minority languages, assessing the situation and condition of each language. A further study, using the same framework, was completed

following the 1995 enlargement of the EU, when Austria, Finland and Sweden joined as Member States. This was followed by additional studies in 2004 and 2008 carried out in the 12 new countries which had joined the EU. The team of experts and scientists who carried out the study also drafted a comparative summary providing a general overview of the situation in the new Member States and a comparison with the fifteen pre-enlargement Member States.'

This description gives some idea of the magnitude, scope and ambition of the study and of the substantial amount of data collected. The authors could not, of course, themselves directly collect the data across such a wide field so they organised their enquiry through a range of respondents within each minority language-group. Series of questionnaires were sent to various authorities at different levels of government and at the same time a language group respondent was nominated for each language group. This person was responsible for administering formal questionnaires to a series of key witnesses or experts for each of the language groups. Eight language use surveys covering 2400 respondents were undertaken and a methodology developed which, working from the returns, analysed the strength of language-use by language-group and then comparatively. This analysis yielded a far subtler and more complex account of the situation of the various minority languages than descriptions of demographic data or legal status in that it attempted to ascertain how far different languages have the social, cultural and organisational components which enable them to play a productive

and reproductive role when confronted by the accelerated economic restructuring process taking place in the European Union. What is of interest to us here however is the general conceptual framework and comparative analysis which is contained in the overview report (based on the first study) published by the Commission in 1996 under the title *Euromosaic: The production and reproduction of the minority language groups in the European Union*. It is available from the Office for Official Publications of the European Communities (ISBN 92-827-5512-6).

Earlier reports on linguistic minorities for the European Commission had either been written by politicians in the European Parliament (Arfé 1981/83, Kuijpers 1987, Killelea 1994) by EU officials or commissioners (Jacoby 1990, Reding 1991), or had been surveys of the whole field or part of the field (Istituto della Enciclopedia Italiana 1986, Siguan 1990). *Euromosaic* is distinguished from all these not only by the scope and depth of the study but by the fact that it was commissioned from social scientists and drew on the methodology and theoretical models of the social sciences. Moreover it was commissioned from a team of social scientists in Catalunya, Wales and Belgium. These commanded respect as professionals in their field but also knew minority situations from the inside. Their work demonstrates that there can also be a minorities viewpoint within the social sciences which may in some respects offer a critique of established ways of discussing minorities within those disciplines.

The historical perspective adopted by the authors sees minorities as defined by power relations rather than numbers, power relations which became established in the period of construction of the modern state. From the European Enlightenment onwards the development of the state (and the state language) is associated with the advance of reason and modernity; other languages within the state are marginalised, that is to say minoritised, and associated with a world of tradition and emotion which is being left behind, the converse of reason and modernity. The new European superstate which the authors perceived to be under construction unsettled this binary opposition by introducing the concept of a political entity itself based on internal diversity. The case made by the *Euromosaic* report is that the support of this diversity by restitutive measures in favour of minorities will be to the advantage of the larger unit in that it will allow all to participate on equal terms and release the creative energies of all its citizens.

The authors of *Euromosaic* and most of the minorities with which they were concerned in their first report were Western Europeans. France, the UK and Spain are old established nation-states which have been built through the partial assimilation over centuries of the minority-language communities. These states find it easier to think that some of their individual citizens have other languages and background cultures than to think in terms of distinct linguistic groups within the national territory. This perhaps explains the insistence on the terms language and culture (rather than linguistic

groups or communities) in the early resolutions of the European Parliament and in the *Charter of Regional or Minority Languages*. The early but abandoned proposals in the European Parliament for a charter of rights for ethnic minorities came from Germanophone MEPs who inherited a different tradition going back to Herder. This tradition perceived the *Sprachgemeinschaft* (the linguistic community) as preceding the state and offering a basis for its construction; which indeed is what happened in Central and Eastern Europe from the late nineteenth-century onwards with the decay and collapse of the Habsburg and Ottoman empires. But of course each newly-created linguistically-based state soon found that it had its own minorities.

Euromosaic places itself in a third position. It insists that one must discuss language in the context of the people who in a given place and situation use that language to speak to each other, that is to say a speech community – to that extent it follows the German tradition. But at the same time it rejects the idea that such groups are culturally and *ethnically* constituted, indeed it sees ethnicity as a term constructed to suggest deviance from the norm (represented by the majority); whereas the main concern of all language groups, whether minorities or majorities, is to establish themselves as normative. The authors prefer to define the language group as one kind of social group among many:

From the outset it was agreed that the study was not about language as such but about language groups which were to

be analysed as social groups. However it was essential to treat language groups as merely one of several social groups which had to be discussed in tandem since the same actor may well simultaneously belong to more than one social group. Thus we also decided not to treat language groups as culturally constituted, or to view them as residual categories such as ethnicity which relegate groups to the margins of society on account of their deviation from the normativity of society writ large. In contrast, we chose to approach the task at hand by reference to a perspective which focused attention upon the various processes and components of the production and reproduction of language groups, feeling that such an approach would help us to throw new light upon what others have conceived in terms of language-shift, language erosion and similar concepts which have ignored the socio-structural nature of this process.'

It is perhaps just as well to elaborate on what the authors mean by 'production' and 'reproduction' in this rather specialised discourse. A language is reproduced when it is passed on by transmission between the generations. Non-reproduction is where children do not learn the language of their parents – members of minorities will be familiar with this phenomenon. Language production can refer to learning a language by those whose parents do not speak the language. The authors identify three agencies which facilitate or hinder these processes of language acquisition or rejection – the family, education and the community. The family and community

are located in civil society whereas education and several other factors which they go on to list are to a greater or lesser extent under the control of the state or regional government.

Among the other factors they name are: the value of the language for social mobility, that is to say its prestige, its value in the labour market. Then *institutionalisation* - the extent to which a language is institutionalised in a variety of contexts so that it is employed without any reflection on the part of the public in general, taken for granted; and *legitimisation* which has a more direct relation to the official agencies of policy formation. It can mean language legislation but also 'enabling' measures facilitated by the state. These variables with which the *Euromosaic* analysis works naturally interact with each other.

The authors are throughout inclined to stress the importance of enabling measures 'creating the facilities for social practice of the language, and thereby giving the individual a choice between alternatives'. Legislation may be a necessary condition for introducing other measures to support a language, but the authors are wary of considering legislation as a panacea, sufficient in itself. At one point they note intriguingly: 'it has been argued that the absence of legal status can be preferable to conferring on a language a status that legitimises the language as a minority language.'

The Euromosaic reports were originally used to measure the condition of individual linguistic minorities at a given point in time, and the particular circumstances of that time will often by now have changed for better or worse. The concepts themselves remain very useful, however, because they deal with *processes* which continue to operate and in a wide variety of situations. In the two following sections, and drawing on my own experience of a small number of European minority situations, I have applied some of these concepts to two topics within the fields of education and the media.

Gaining ground in minority-language education

The mother-tongue, *Muttersprache*, is a well-established and emotive term used to effect by minorities when claiming the right at least to elementary education in their own language. Who, after all, can justify the linguistic estrangement of small children from their mothers by the education system? Language is not a biological category to the same extent as race or colour, and yet ‘mother-tongue’ notes a biological connection and appeals to something more organic than our laws and constitutional arrangements. We appeal to that same level when we speak of a ‘living language’ or of families and communities who are native-speakers. This ‘natural’ dimension then becomes a moral basis for claiming formal rights within the education system and public institutions.

But we can approach the question from the other end. In modern conditions, it is unlikely that a language will long continue to be transmitted in the family and community if it is excluded from the workplace, the education system and the media, and if it cannot be used for interaction with the public authorities. In some circumstances mothers (and fathers) may even wish to help their children escape from the ‘mother-tongue’ if they associate it (perhaps on the basis of their own earlier experience) with poverty or discrimination and lack of opportunity. This was true in an earlier period in my own country, Wales. The famous English-language poet Dylan Thomas was brought up in Wales entirely in English by parents both of whom had Welsh as their first language.

Less extremely, parents may see the ‘mother-tongue’ as appropriate only to certain domestic or religious or cultural areas of life or as deserving support only up to a certain age, after which the ‘real world’ of the majority-language takes over. To many parents extensive use of the minority language in the education system will only seem justified if it is perceived as opening up rather than closing down opportunities. Language prestige here becomes an influential factor. For example, a presence of the language in the media may help since it will associate the minority language with modernity and may also offer role models and job opportunities for speakers of that language.

Then again, unless there are religious rules or other constraints which require marriage within the language community, there will be many cases where the minority language is the ‘father-tongue’ rather than the ‘mother-tongue’. In this case the minority-language is much less likely to be transmitted unless strongly supported by the surrounding community or else by the education system.

State education has traditionally had the dual function of, on the one hand, preparing students for the labour market, and on the other forming good citizens familiar with the state’s language, literature and history. For minorities, education in the state language has often been the passport to success in the wider labour market within the same state. Today, cross-border and international migration are increasingly a feature of life, and this sets a premium on international languages such as English and puts further pressure on the allocation of time for languages within the school curriculum. The export of talent can pose economic problems at the nation-state level but also at the level of regional development. Increasingly regions within states are the units which compete against each other internationally for inward investment. The availability of a skilled workforce within a region, the natural and cultural environment in that region, all become factors in attracting this investment, so that the retention of talent within the region becomes more important as does the elimination of conflictual situations, including language conflicts.

But minority-language areas may also suffer from inward migration, since it can affect the linguistic balance of communities as well as marriage patterns. Immigrants (or more often their children) may become valuable recruits to the minority language but this requires the prestige of the minority language to be high and the educational provision in that language to be good. Where these conditions do not apply, the inward migrants may not even realise that they are coming to an area where a different language from the state language is spoken, and their presence may be resented.

Finally, one may note some situations in which the minority-language, after undergoing steep losses and severe discrimination, enters a period of resurgence with a high level of popular and political support. Euskadi (the autonomous Basque provinces within Spain) in the years following the end of the Franco dictatorship, is the prime example of this in Europe. Here the schools which teach through the medium of Euskera (the Basque language) at both primary and secondary level contain a high proportion of children, neither of whose parents speak the language. The same is true in Wales. What is mother-tongue teaching for some children is father-tongue teaching for others, and in yet other cases the minority language is not being transmitted ('reproduced' in the terms of the *Euromosaic* report) so much as 'produced' among new speakers. The language is then gaining ground. Mother-tongue teaching remains important for what is the core group of first-language speakers, but insistence on the term may simplify a complex linguistic situation

and risk excluding people who might otherwise be drawn to the language. To do justice to the linguistic complexity of minority-language situations what is needed is not so much ‘mother-tongue teaching’ as an education system on a defined territory which offers all who so choose an education in the minority language.

Where there is political support for a presence of the minority-language in the education system, a range of relatively successful models of school-system can be found among European minorities, each reflecting a different history. In Finland, the Swedish-speaking population forms a relatively small minority but has high status because of the leading role it has played in the country’s history and the fact that its language is official in neighbouring Sweden. The Finland-Swedes do not regard themselves as Swedes but as founder-members of the Finnish state. In Finland there exist two parallel education systems, one teaching through Swedish and the other through Finnish. There is also a Swedish-medium institution at university level. Each school-system teaches the other language as a subject, but in mainland Finland Swedish-speakers are more likely to become fluent speakers of Finnish than vice versa because of the predominance of Finnish in the general environment. Since English is also taught throughout both systems, it sometimes happens that members of the two language groups speak English to each other. The degree of official bilingualism in different local government areas within Finland is decided according to the proportion of Swedish and Finnish speakers in the local population, and in a

society where marriages and families straddle the linguistic line, the choice of school system in effect amounts to a declaration of adherence to one linguistic group or the other.

In Euskadi the autonomous government which came into being after the end of the Franco dictatorship from the start enjoyed widespread popular support for policies favouring the introduction of the Basque language into all public institutions which it controlled, but it also inherited what was *de facto* a very difficult linguistic situation. During the last Franco years committed parents had been allowed to set up a number of private Basque-medium schools, but the language had no presence in the state school system. Literacy in Basque in the adult population was at a very low level after decades when the language was virtually driven underground. Where the language *was* spoken it was marked by strong dialectal differences combined with the absence of a standardised norm.

The school system which was introduced by the autonomous government gave parents a choice of three models. In the first, Basque was to be the medium of instruction with Castilian (Spanish) taught as a subject. In the second, bilingual model, there would be some teaching through Basque and some through Castilian; in the third Basque would be taught as a subject within schools which otherwise taught through the medium of Castilian. This third model allowed some small exposure to the Basque language for the children of parents who identified themselves primarily as Spaniards, and

this for the first time. The second provided reassurance for those, whether Basque-speakers or other parents, who identified with the language yet lacked the confidence to opt for education entirely in the Basque language. And the first model met the needs of the vanguard of parents who were absolutely committed to the future of their language. The years of autonomous government have seen a continuous drift towards this last model, and schools which teach through the medium of Basque now account for half the school children in the autonomous community of Euskadi. The system of choices introduced at the start allowed some parents time to gain in confidence as the Basque-medium schools established themselves and also gave the Basque Government time to standardise the language, to produce materials in Basque, to prepare a new generation of teachers proficient in Basque and to offer strong incentives to existing teachers to learn Basque or improve their command of the language.

Wales offers some interesting points of difference and of similarity with Euskadi. Although Wales did not obtain its own autonomous government until 1997, some Welsh-medium schools were introduced into the state system much earlier than in Spain, but in a very uneven pattern. Local government had considerable control over education and was more favourable to the language in some areas than in others. The pressure from parents also varied from area to area and sometimes encountered considerable resistance for Welsh-speakers are, of course, a minority within Wales itself. Even where Welsh-medium schools had been established, a lack

of self-confidence led many Welsh-speakers to continue to choose the English-medium school-system for their children, and while the Welsh-medium schools taught English as a subject, many years passed before Welsh was made a compulsory subject in the English-medium schools. In Wales, as in Euskadi, the teaching of the minority language simply as a subject is not perceived as producing fluent speakers of the language, although it may help improve attitudes within the majority population.

At quite an early stage, the model of a bilingual school teaching some subjects through English, others through Welsh, was proposed but rejected by campaigners for Welsh education. In Euskadi, the model was accepted within an overall pattern which was felt to be highly supportive of the Basque language. In Wales it was perceived at the time to be an attempt by the authorities to offer a weaker alternative to the wholly Welsh-medium school. But this was all before the coming of devolution. Today, throughout Wales, parents have the choice of a school system where Welsh is the medium of instruction and English is taught as a subject; or alternatively of a school system where English is the medium of instruction and Welsh is taught as a subject. Increasingly parents are choosing the former system and approximately a quarter of all children in Wales today receive a Welsh-medium education. Insofar as the education system is concerned, Welsh is seen to be gaining ground, while at the same time the language continues to lose ground in the society at large, due to other factors.

Thus education in the minority language, while a necessary condition of the language's survival, is not in itself a sufficient condition. Whether the language is then used informally within the school by the peer group and outside the school in the community will depend on many other factors including the overall prestige enjoyed by the language in the community. This may in turn relate to opportunities to work using the language. The ultimate aim is what is called the normalisation of the minority language, a concept originating in Catalunya and the Basque Country which has spread to other European minorities. Policies to achieve this normalisation making it normal to use the minority language in as many situations as possible involve detailed planning at every level. At school level it might involve some of the policies described in the article *Turning Knowledge of Basque into use: normalisation plans for schools*.

The three examples I have outlined show parents being offered a choice in linguistically mixed territories. In Finland one can assume that the majority of children in the Swedish-medium system are 'mother-tongue' Swedish-speakers, but the system is nevertheless open to others. In Wales, and even more so in the Basque Country, the choice of education in the minority language is increasingly made not only by parents who themselves speak the minority language but by families where the language may have been lost in an earlier generation, and also by some parents from outside who have moved to Wales or Euskadi and wish their children to

integrate with the culture of the country. Success in the last two cases will depend on a continuing social momentum in favour of the language.

Media as an economic asset

The media landscape has changed quite dramatically since the 1970s when the European Parliament identified the media as an area in which minorities required support. At that time television was largely a state monopoly and was broadcast within nation-states on a few analogue channels. From the state's point of view, radio and television were a potent force for creating national unity and social cohesion. If these channels offered space at all for minority languages, they did so minimally and at off-peak times. From the minority's point of view, these same media brought the majority language into the homes of speakers of the minority language, a deeper and more intrusive penetration than anything which had been experienced in earlier generations and an undermining of the minority language in its ultimate fastness on the hearth.

Television in particular conferred prestige and status; a language which did not appear on television was perceived as not belonging to the modern world. The literate elites within the minorities often managed to support a weekly or even a daily print publication where the concerns of the minority were debated, but because the education system had failed to create a more general literacy in the minority language, these debates had little impact on the wider

society. This reinforced the urgent desire among leaders within the minorities to have television in their own languages.

The substantial powers devolved to the autonomous communities in Spain following the death of Franco included the power to set up broadcasting authorities and channels in their own languages, which the new governments did at the earliest opportunity. The Swedish-language channel in Finland and the Welsh-language channel in Wales (UK), by contrast, were the result of concessions by central government after long and hard-fought campaigns by the minorities. Later Wales obtained its own devolved government but broadcasting remains an area which is reserved to the central government. One result of this has been that there is no coordinated linguistic policy between Welsh-language television and the much smaller amount of English-language television which is produced in Wales. By contrast the government of Euskadi has been able to set up a Basque-language channel and also a Spanish-language channel, all under a single broadcasting authority with a coordinated policy. For example, children's programmes in Basque are placed on the Spanish channel emanating from Euskadi as well as on the Basque language channel on the grounds that all children in Euskadi either learn Basque as a subject or study through the medium of that language.

Digital TV and the proliferation of TV channels have been positive for minority-languages in that they no longer need to fight for

space on a small number of frequencies already occupied by the majority-languages. It has also become possible to put the minority channels on satellite and reach speakers in the diaspora. The internet and internet radio and TV/video have of course carried that process further allowing members of the minority living outside the territory to contribute their talents to the life of the core community. At the same time, however, the proliferation of available channels, including those in international languages, has divided the TV audience, including minority-language speakers who are usually at least bilingual, into thematic segments – sports channels, arts channels etc. - which compete with each other for audiences.

Television images are bought and sold around the world to which words are added, dubbed or subtitled, in local languages. In the early 1980s, Catalans, Basques and Galicians liked nothing better than to buy an American series such as *Dallas* and to dub it into their own languages before it could appear on the Spanish channels. American programmes of course dominate the world market and form a high proportion of the programmes shown on majority-language TV in many countries, so that television everywhere raises questions about the relation between language and culture. Does it perhaps use the local language to promote a culture created elsewhere? The question arises in a particularly acute form for minorities because they have looked to the media as a way of strengthening their own culture.

The Welsh-language TV channel, when it was at last conceded, was generously funded, and it needed to be, because for it the option of buying and dubbing American programmes was not available. People were likely to see the same programmes in English on UK channels. One result has been to ensure that almost all Welsh-language television is actually produced in Wales, which is far from true of other television services, whether in majority or minority languages. A small media industry which included the making of films and animation was thus established which subsequently sold Welsh programmes to over 70 other countries. This success may have influenced the decision to establish an Irish-language TV Channel and a Frisian channel. It made it possible to argue that such channels were an investment in the growing media-sector of modern economies. Certainly the media are not to be perceived simply as 'culture'. They are today an economic asset with an international dimension. To buy a high percentage of your television from outside is to export jobs and talents. To make films and television in your own language is to create an industry.

Very local radio and TV seem to maintain their hold on local audiences. Each has its particular advantages for minorities, depending on their specific situation. Radio is the most democratic medium in that all the speakers of a given language can in theory participate cheaply without worrying to the same degree about the 'correctness' expected in written culture. Television is usually a little more formal and staged, and certainly more expensive. In bilingual

or multilingual areas, however, television has the advantage over radio of attracting an ‘overhearing’ audience. The pictures or the singing may be as important as the words in some TV programmes, which means that members of the majority community may well see minority programmes from time to time and catch sight of places they know or even of their neighbours’ children performing before the camera. This makes it harder to maintain stereotypes of the other language-groups.

Conclusions

There is another and important discourse about minorities which this article has left to one side. It concerns the legal definition of rights on defined territories, the establishment of local or regional autonomies, and the guarantees offered to minorities in charters or under bilateral or international agreements. Without some elements of a legal framework little of what has been discussed above would be possible.

Nevertheless, this paper argues, a legal framework which may be *necessary* is not by definition *sufficient* for the survival and flourishing of linguistic groups. By definition a legalistic approach will be very broad brush and require supplementing by a whole raft of detailed enabling measures. Some of these measures may be possible even in the absence of a legal basis. A comparative view of the kind afforded by the collective experience of the European minorities can open the door on a whole range of possibilities.

Since in modern societies minority-language groups live in close proximity to, and to some degree mixed in with majority-language populations, neither majorities nor minorities can realistically think of establishing hermetically sealed cultures. A degree of permeability and crossing over between the cultures will be to the advantage of the minority. Majorities may need more persuading that it is also to their advantage but this too is more likely to be apparent within a comparative and globalising context.

Appendix A: Referenced Instruments

Universal Declaration of Human Rights (1948)

Resolution on a Community Charter of Regional Languages and Cultures and on a Charter of Rights of Ethnic Minorities (Arfè Resolution) (1981)

Resolution on the Languages and Cultures of Regional and Ethnic Minorities in the European Community (Kuijpers Resolution) (1987)

European Charter for Regional or Minority Languages (1992)

Universal Declaration of Linguistic Rights (1996)

Framework Convention for the Protection of National Minorities (1998)

Charter of Fundamental Rights of the European Union (2000)

The Lisbon Treaty (2009)

Appendix B:

DPI Board and Council of Experts

Director:

Kerim Yildiz

Kerim Yildiz is Director of DPI. He is an expert in international human rights law and minority rights, and is the recipient of a number of awards, including from the Lawyers Committee for Human Rights for his services to protect human rights and promote the rule of law in 1996, the Sigrid Rausing Trust's Human Rights award for Leadership in Indigenous and Minority Rights in 2005, and the Gruber Prize for Justice in 2011. Kerim has written extensively on human rights and international law, and his work has been published internationally.

DPI Board Members:

Nicholas Stewart QC (Chair)

Barrister and Deputy High Court Judge (Chancery and Queen's Bench Divisions), United Kingdom . Former Chair of the Bar Human Rights Committee of England and Wales and Former President of Union Internationale des Avocats.

Professor Penny Green (Secretary)

Head of Research and Director of the School of Law's Research Programme at King's College London and Director of the International State Crime Initiative (ICSI), United Kingdom (a

collaborative enterprise with the Harvard Humanitarian Initiative and the University of Hull, led by King's College London).

Priscilla Hayner

Co-founder of the International Center for Transitional Justice, global expert and author on truth commissions and transitional justice initiatives, consultant to the Ford Foundation, the UN High Commissioner for Human Rights, and numerous other organisations.

Arild Humlen

Lawyer and Director of the Norwegian Bar Association's Legal Committee. Widely published within a number of jurisdictions, with emphasis on international civil law and human rights. Has lectured at law faculties of several universities in Norway. Awarded the Honor Prize of the Bar Association for Oslo for his work as Chairman of the Bar Association's Litigation Group for Asylum and Immigration law.

Jacki Muirhead

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Professor David Petrasek

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Expert in humanitarian, development, peacemaking and peacebuilding issues. Consultant on women, peace and security; and strategic issues to clients including the Centre for Humanitarian Dialogue, the European Peacebuilding Liaison Office, the Global Network of Women Peacemakers, Mediator, and Terre des Hommes.

DPI Council of Experts

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Reader in Middle Eastern and Islamic Political Economy and Finance at the School of Government and International Affairs, Durham University. Researches, teaches and supervises research on Middle Eastern economic development, the political economy of Middle East including Turkish and Kurdish political economies, and Islamic political economy. Honorary Treasurer of the British Society for Middle East Studies and of the International Association for Islamic Economics. His research has been published in various journals, magazines and also in book format.

Christine Bell

Legal expert based in Northern Ireland; expert on transitional justice, peace negotiations, constitutional law and human rights law advice. Trainer for diplomats, mediators and lawyers.

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Senior Journalist and columnist specializing in areas such as The Kurdish Question, former war correspondent. Served as special adviser to Turkish president Turgut Ozal.

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SETA Politics Economic and Social Research Foundation. Member of the Executive Board of the Joint Platform for Human Rights, the Human Rights Agenda Association (İHAD) and Human Rights

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Salomón Lerner Febres

Former President of the Truth and Reconciliation Commission of Perú; Executive President of the Center for Democracy and Human Rights of the Pontifical Catholic University of Perú.

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Head of the Department of War Studies, King's College London. Previously served as Chair of Politics and Head of Department at the University of Natal in Durban. Former President of the South African Political Studies Association; expert on human rights in international relations, humanitarian intervention, justice in world politics, democratising global governance, just war tradition in an Era of New Wars and ethics in a globalising world.

Martin Griffiths

Founding member and first Executive Director of the Centre for Humanitarian Dialogue, Served in the British Diplomatic Service, and in British NGOs, Ex -Chief Executive of Action Aid. Held posts as United Nations (UN) Director of the Department of Humanitarian Affairs, Geneva and Deputy to the UN Emergency Relief Coordinator, New York. Served as UN Regional Humanitarian Coordinator for the Great Lakes, UN Regional Coordinator in the Balkans and UN Assistant Secretary-General.

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Bejan Matur

Renowned Turkey based Author and Poet. Columnist, focusing mainly on Kurdish politics, the Armenian issue, daily politics, minority problems, prison literature, and women's issues. Has won several literary prizes and her work has been translated into 17 languages. Former Director of the Diyarbakır Cultural Art Foundation (DKSV).

Jonathan Powell

British diplomat, Downing Street Chief of Staff under Prime Minister Tony Blair between 1997- 2007. Chief negotiator in Northern Ireland peace talks, leading to the Good Friday

Agreement in 1998. Currently CEO of Inter Mediate, a United Kingdom -based non-state mediation organization.

Sir Kieran Prendergast

Served in the British Foreign Office, including in Cyprus, Turkey, Israel, the Netherlands, Kenya and New York; later head of the Foreign and Commonwealth Office dealing with Apartheid and Namibia; former UN Under-Secretary-General for Political Affairs. Convenor of the SG's Executive Committee on Peace and Security and engaged in peacemaking efforts in Afghanistan, Burundi, Cyprus, the DRC, East Timor, Guatemala, Iraq, the Middle East, Somalia and Sudan.

Rajesh Rai

Rajesh was called to the Bar in 1993. His areas of expertise include Human Rights Law, Immigration and Asylum Law, and Public Law. Rajesh has extensive hands-on experience in humanitarian and environmental issues in his work with NGOs, cooperatives and companies based in the UK and overseas. He also lectures on a wide variety of legal issues, both for the Bar Human Rights Committee and internationally.

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