



**EBLUL-France**  
*French committee of the  
European Bureau for Lesser  
Used Languages*

Geneva, 21 May 2007

**CESCR, Pre-Sessional Working Group, 21 to 25 May 2007**

**Observations on the third periodic report of France**

The answers of France to the recommendations of the CESCR made on the 24<sup>th</sup> and 25<sup>th</sup> of November 2001 about the recognition of minorities and the preservation of regional or minority languages and cultures only confirm the grave deficiencies of the French state in this matter.

Contrary to the statements given, the French conception obviously is not able to guarantee cultural rights to the populations involved.

The list of hindrances to the cultural rights of persons, and in particular to the preservation of the cultural identity of minority groups or populations, expounded in the three reports turned in by EBLUL, by the Basque linguistic rights observatory (Hizkuntz Eskubideen Behatokia), and by Bretagne Réunion, once again demonstrates this fact.

When the report starts by quoting museums, cultural centres or even festivals organised by the population (which actually enjoy very little support from the State), it shows how the very idea that regional or minority languages could take part in public and social life remains remote from the conception of a linguistically uniform State: this is also obvious from the examples of refusal of the right of persons to use their own language in public and even in the private sphere (when social services deny parents the right to organise child care in a regional language).

The report of France states that "the French conception of a nation is not a barrier to the respect by the French State of local customs and habits", nonetheless the Polynesians have been forbidden to debate in the Polynesian language in their assembly by the Constitutional Council in 2006.

As a matter of fact the report does not mention teaching of and teaching in regional languages (see appended note N°1). This is the most blatant demonstration that the

refusal of a recognition of minority groups or populations deprives citizens from their cultural rights in social life.

Foremost examples are:

- in Bretagne, the refusal of legal public financial support to parents who want to establish a child care or day care centre in the Breton language for their children,
- refusal that a regional language be used as a teaching language at school ("immersion" type teaching methods are forbidden in public teaching).

**It can thus be said that the French system aims "naturally" at the disappearance of social groups which have been using languages other than French for hundreds or even thousands of years and which have their own cultural life.**

This policy is furthered by the centralisation of media, and particularly television:

- the centralised public media (radio and television) allow very little time to regional languages in their regional broadcasts,
- the means of local associative radios are limited by law and they obtain very few frequencies,
- private regional television channels are hampered in their existence by administrative and political decisions (by the High Council of Audiovisual Media).

This refusal of the recognition of minority groups as such is curiously matched by the will to define a "national identity", which has acquired such a priority for State authorities that they have created a Ministry of Immigration and National Identity.

To these denials of rights can be added a deficiency in democracy:

- when measures are unanimously demanded by the population involved, e. g. the Regional Council of Brittany has unanimously voted for France to ratify the European Charta on regional and minority languages,
- when the State refuses to follow democratic request on territorial limits by the populations involved:
  - in the Basque country, despite requests by the majority of elected representatives, refusal to create a Basque country Département in order to align institutions to the Basque social reality.
  - in Bretagne, refusal to implement a democratic reunification process of the Region Bretagne with the Département Loire-Atlantique, which had been separated by a decree of the Vichy government in 1941, despite a unanimous demand by the elected representatives of these two territorial institutions.

The inhabitants of Loire-Atlantique, who have been identified as Bretons for more than thousand years, are nowadays forced by all institutions, schools, and the media to adopt an new artificial identity.

## **To conclude,**

### **1 - One can only repeat the fundamental demands of November 2001 by the CESCR:**

- ratification of the European Charter for regional or minority languages,
- ratification of the European Framework Convention on minorities (France is one of the 3 last countries, with Turkey and Andorra, not to have signed it),
- removal of the reservations on article 27 of the Pact on civil and political rights and article 30 of the rights of children,
- add Protocol 12 of the European Convention on Human Rights (individual appeal against discrimination)
- the French Constitution must be modified in order to recognise the original diversity of the French Republic, in particular regarding languages, without domination by a particular group.

### **2 - In practice, this should imply:**

- recognition of the right to use, educate, and teach in regional languages (i. e. the "immersion" teaching method),
- the right to use a regional language in public life in the territory involved,
- the right to public media, radio and television, in regional languages accessible to the communities and/or territories involved.

### **3 - About means and methods: proposal for a pragmatic approach**

The Committee is concerned with the ideological blocks it observes in France and would like to find solutions to overcome them.

The report of France states that **"the French position does not exclude the right by overseas indigenous populations to have, among their own group, their own cultural life, to declare and practice their own religion or to use their own language. France prefers the statutory way for the acknowledgment of local idiosyncrasies"**.

But what has the State done in practice to allow the implementation of that right, further than the general statement of a principle?

On some subjects, the French State can display pragmatism. The various statutes of different territories are an example (overseas departments and territories, Corsica, Alsace, Public Interest Grouping for Basque, Cultural Charter of Bretagne, Planning Contracts with the Regions etc.). However, in the cultural and linguistic fields, results remain trifling. The French State is well on the way to extinguish all linguistic diversity from its territory. And the newfangled concept of "national identity" will not be a help against globalisation, uniformity and deconstruction of society.

Because there are so many different cases with different socio-cultural backgrounds, we propose that the CESCR could request the French State to initiate negotiations with the local or regional relevant institutions, over practical objectives and means in

order to demonstrate that there is a will to apply socio-cultural rights, to preserve, protect and promote different languages and cultures.

This negotiation approach should involve representatives of civil society as well as the relevant institutions.

The CESCR should also demand to be advised speedily of the results of these negotiations and discuss them with representatives from the State, the relevant institutions and the NGOs. The lack of action by France since the 2001 recommendations requires a speedy response, otherwise the observations of the CESCR would become useless, which is not acceptable.

This would be the only way to avoid adding new tensions to the old ones, which will necessarily happen if the present blocking situation continues.

For EBLUL-France,

The delegates:

Tangi Louarn, president

Philippe ELSASS, vice-president.

*( note N°1): it should be noted that the French translation of CESCR recommendation 26 differs widely from the original text. Whereas the CESCR recommends taking measures to improve teaching of and in regional languages (English text: "to improve education on, and education in, these languages"; Spanish text: "la enseñanza de dichas lenguas y la educación en ellas"), the French version only mentions the study and teaching of these languages (" l'étude et l'enseignement de ces langues").*

*It should be noted further that in § 15 the "lack of recognition of minorities" (la falta de reconocimiento de las minorías) becomes the insufficient recognition of minorities (" l'insuffisante reconnaissance des minorities").*

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