Linguistic minority rights:
the right to identity and the right to equality combined

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Linguistic rights:

- **rights of languages?**
- **rights of the persons who speak these languages?**

Legal basis in Europe:

- □ **European Charter for Regional or Minority Languages**
- □ **Framework Convention for the Protection of National Minorities**

Preservation of languages in danger of extinction:

Up to 90% of the world's languages are considered endangered

Do English-speakers in Cameroon or Russian-speakers in the Baltic states deserve lower degree of protection of their linguistic minority rights than eg Saami in Finland or Venda in South Africa?

Language status paradox: sometimes restrictions on the use of minority language are explained with the need to protect the official language

Equality and non-discrimination: interpretation?

- **Equal treatment** vs **full and effective equality**

- Does equal treatment ensure equality in practice?

- Restriction of the use of minority languages (e.g. before public authorities) may lead to *effective denial* of basic rights of the persons belonging to these minorities

- In some situations different treatment is needed to ensure equality (*ECtHR Thlimmenos vs Greece, 6/04/2000, No. 34369/97*)

EU: official vs *lesser used* languages

- Status of a given language is determined by the decision of national authorities, no international standards exist

- Recognition of a language as "lesser used" (as opposed to "immigrant" language) also depends on national authorities, as well as EU institutions

- 24 official languages – some are spoken by much less number of people than "lesser used" languages:
  - Maltese (est. 370,000 speakers)
  - Catalan, Russian (est. 5-6 mln native speakers each)

IT development: impact on the use of minority languages in practice

- Public vs private sphere
- Concept of *legitimate public interest*
- Examples: low relevance to key areas?
  - language requirements for deputy candidates
  - business – interaction with public authorities
  - use before public authorities – access to services?
  - education?

IT development: impact on the use of minority languages

- Hurdles:
  - software compatibility
  - availability of resources
- Presentation of social groups on the Internet is largely determined by the actual social balance of power
- Representation in the virtual world depends on whether regional or minority languages are official languages in other countries (EU *ATLANTIS*)
- The less a language is used, the less its representation in the new media will be (EU *Euromosaic III*)