

**THE EUROPEAN CHARTER
FOR REGIONAL OR MINORITY LANGUAGES¹**

– Applied to Welsh in the United Kingdom –

[...]

PART II

**OBJECTIVES AND PRINCIPLES
PURSUED IN ACCORDANCE WITH ARTICLE 2, PARAGRAPH 1**

Article 7 – Objectives and principles

- 1 In respect of Welsh, within the territories in which Welsh is used and according to the situation of Welsh, the United Kingdom shall base its policies, legislation and practice on the following objectives and principles:
 - a the recognition of Welsh as an expression of cultural wealth;
 - b the respect of the geographical area of Welsh in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Welsh;
 - c the need for resolute action to promote Welsh in order to safeguard it;
 - d the facilitation and/or encouragement of the use of Welsh, in speech and writing, in public and private life;
 - e the maintenance and development of links, in the fields covered by this Charter, between groups using Welsh and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;
 - f the provision of appropriate forms and means for the teaching and study of Welsh at all appropriate stages;
 - g the provision of facilities enabling non-speakers of Welsh living in the area where it is used to learn it if they so desire;
 - h the promotion of study and research on Welsh at universities or equivalent institutions;
 - i the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for Welsh used in identical or similar form in two or more States.
- 2 The United Kingdom undertakes to eliminate, if it has not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of Welsh and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of Welsh aimed at promoting equality between the users of Welsh and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.
- 3 The United Kingdom undertakes to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to Welsh among the objectives of education and training provided within the country and encouragement of the mass media to pursue the same objective.
- 4 In determining its policy with regard to Welsh, the United Kingdom shall take into consideration the needs and wishes expressed by the groups which use Welsh. It is encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to Welsh.

[...]

¹ CETS no. 148. The Charter was adopted by the Committee of Ministers of the Council of Europe in Strasbourg on 5 November 1992. Entry into force for the United Kingdom: 1 July 2001. The provisions of the Charter adopted by the United Kingdom for Welsh are applicable without territorial restrictions.

PART III
MEASURES TO PROMOTE THE USE OF
Welsh
IN PUBLIC LIFE
IN ACCORDANCE WITH THE UNDERTAKINGS
ENTERED INTO UNDER ARTICLE 2, PARAGRAPH 2

Article 8 – Education

ACCEPTED	NOT ACCEPTED
<p>1 With regard to education, the United Kingdom undertakes, within the territory in which Welsh is used, according to the situation of Welsh, and without prejudice to the teaching of the official language(s) of the State:</p> <p>a i to make available pre-school education in Welsh; or</p> <p>b i to make available primary education in Welsh; or</p> <p>c i to make available secondary education in Welsh; or</p>	<p>a ii to make available a substantial part of pre-school education in Welsh; or</p> <p>iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or</p> <p>iv if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;</p> <p>b ii to make available a substantial part of primary education in Welsh; or</p> <p>iii to provide, within primary education, for the teaching of Welsh as an integral part of the curriculum; or</p> <p>iv to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;</p> <p>c ii to make available a substantial part of secondary education in Welsh; or</p> <p>iii to provide, within secondary education, for the teaching of Welsh as an integral part of the curriculum; or</p> <p>iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;</p>

ACCEPTED

- d iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- e iii if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in Welsh or of facilities for the study of Welsh as university or higher education subjects;
- f ii to offer Welsh as subjects of adult and continuing education; or
- g to make arrangements to ensure the teaching of the history and the culture which is reflected by Welsh;
- h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the United Kingdom;
- i to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of Welsh and for drawing up periodic reports of their findings, which will be made public.

NOT ACCEPTED

- d i to make available technical and vocational education in Welsh; or
- ii to make available a substantial part of technical and vocational education in Welsh; or
- iii to provide, within technical and vocational education, for the teaching of Welsh as an integral part of the curriculum; or
- e i to make available university and other higher education in Welsh; or
- ii to provide facilities for the study of Welsh as university and higher education subjects; or
- f i to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in Welsh; or
- iii if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of Welsh as subjects of adult and continuing education;

- 2 With regard to education and in respect of territories other than those in which Welsh is traditionally used, the United Kingdom undertakes, if the number of users of Welsh justifies it, to allow, encourage or provide teaching in or of Welsh at all the appropriate stages of education.

Article 9 – Judicial authorities

ACCEPTED

NOT ACCEPTED

- 1 The United Kingdom undertakes, in respect of those judicial districts in which the number of residents using Welsh justifies the measures specified below, according to the situation of Welsh and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:
 - a in criminal proceedings:
 - ii to guarantee the accused the right to use Welsh; and/or
 - iii to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in Welsh; and/orif necessary by the use of interpreters and translations involving no extra expense for the persons concerned;
 - b in civil proceedings:
 - ii to allow, whenever a litigant has to appear in person before a court, that he or she may use Welsh without thereby incurring additional expense; and/or
 - iii to allow documents and evidence to be produced in Welsh, if necessary by the use of interpreters and translations;
 - c in proceedings before courts concerning administrative matters:
 - ii to allow, whenever a litigant has to appear in person before a court, that he or she may use Welsh without thereby incurring additional expense; and/or
 - iii to allow documents and evidence to be produced in Welsh, if necessary by the use of interpreters and translations;
 - d to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned.
- 2 The United Kingdom undertakes:
 - b not to deny the validity, as between the parties, of legal documents

- a i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in Welsh; and/or
- iv to produce, on request, documents connected with legal proceedings in Welsh,
- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in Welsh; and/or
- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in Welsh; and/or
- a not to deny the validity of legal documents drawn up within the State solely because they are drafted in Welsh; or

ACCEPTED

drawn up within the country solely because they are drafted in Welsh, and to provide that they can be invoked against interested third parties who are not users of Welsh on condition that the contents of the document are made known to them by the person(s) who invoke(s) it; or

NOT ACCEPTED

- c not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in Welsh.
- 3 The United Kingdom undertakes to make available in Welsh the most important national statutory texts and those relating particularly to users of Welsh, unless they are otherwise provided.

Article 10 – Administrative authorities and public services

ACCEPTED

- 1 Within the administrative districts of the State in which the number of residents who are users of Welsh justifies the measures specified below and according to the situation of Welsh, the United Kingdom undertakes, as far as this is reasonably possible:
 - a i to ensure that the administrative authorities use Welsh; or
 - b to make available widely used administrative texts and forms for the population in Welsh or in bilingual versions;
 - c to allow the administrative authorities to draft documents in Welsh.
- 2 In respect of the local and regional authorities on whose territory the number of residents who are users of Welsh is such as to justify the measures specified below, the United Kingdom undertakes to allow and/or encourage:
 - a the use of Welsh within the framework of the regional or local authority;
 - b the possibility for users of Welsh to submit oral or written applications in Welsh;
 - c the publication by regional authorities of their official documents also

NOT ACCEPTED

- a ii to ensure that such of its officers as are in contact with the public use Welsh in their relations with persons applying to them in Welsh; or
- iii to ensure that users of Welsh may submit oral or written applications and receive a reply in Welsh; or
- iv to ensure that users of Welsh may submit oral or written applications in Welsh; or
- v to ensure that users of Welsh may validly submit a document in Welsh;

ACCEPTED

NOT ACCEPTED

- a to the extent that radio and television carry out a public service mission:
- a i to ensure the creation of at least one radio station and one television channel in Welsh; or

- d to encourage and/or facilitate the production and distribution of audio and audiovisual works in Welsh;
- e i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in Welsh; or

- f ii to apply existing measures for financial assistance also to audiovisual productions in Welsh;

- 2 The United Kingdom undertakes to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to Welsh, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. It further undertakes to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to Welsh. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder

- ii to encourage and/or facilitate the creation of at least one radio station and one television channel in Welsh; or
- iii to make adequate provision so that broadcasters offer programmes in Welsh;
- b i to encourage and/or facilitate the creation of at least one radio station in Welsh; or
- ii to encourage and/or facilitate the broadcasting of radio programmes in Welsh on a regular basis;
- c i to encourage and/or facilitate the creation of at least one television channel in Welsh; or
- ii to encourage and/or facilitate the broadcasting of television programmes in Welsh on a regular basis;

- e ii to encourage and/or facilitate the publication of newspaper articles in Welsh on a regular basis;
- f i to cover the additional costs of those media which use Welsh, wherever the law provides for financial assistance in general for the media; or

- g to support the training of journalists and other staff for media using Welsh.

ACCEPTED

NOT ACCEPTED

or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

- 3 The United Kingdom undertakes to ensure that the interests of the users of Welsh are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

Article 12 – Cultural activities and facilities

ACCEPTED

NOT ACCEPTED

- 1 With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the United Kingdom undertakes, within the territory in which Welsh is used and to the extent that the public authorities are competent, have power or play a role in this field:
- a to encourage types of expression and initiative specific to Welsh and foster the different means of access to works produced in Welsh;
 - b to foster the different means of access in other languages to works produced in Welsh by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
 - c to foster access in Welsh to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
 - d to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of the Welsh language and culture in the undertakings which they initiate or for which they provide backing;
 - e to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have at their disposal staff who have a full command of Welsh, as well as of the language(s) of the rest of the population;
 - f to encourage direct participation by representatives of the users of Welsh in providing facilities and planning cultural activities;
 - g to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or

ACCEPTED

NOT ACCEPTED

- publishing works produced in Welsh;
- h if necessary, to create and/or promote and finance translation and terminological research services, particularly with a view to maintaining and developing appropriate administrative, commercial, economic, social, technical or legal terminology in Welsh.
- 2 In respect of territories other than those in which Welsh is traditionally used, the United Kingdom undertakes, if the number of users of Welsh justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.
 - 3 The United Kingdom undertakes to make appropriate provision, in pursuing its cultural policy abroad, for Welsh and the culture it reflects.

Article 13 – Economic and social life

ACCEPTED

NOT ACCEPTED

- 1 With regard to economic and social activities, the United Kingdom undertakes, within the whole country:
 - a to eliminate from its legislation any provision prohibiting or limiting without justifiable reasons the use of Welsh in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations;
 - c to oppose practices designed to discourage the use of Welsh in connection with economic or social activities;
- 2 With regard to economic and social activities, the United Kingdom undertakes, in so far as the public authorities are competent, within the territory in which Welsh is used, and as far as this is reasonably possible:
 - b in the economic and social sectors directly under its control (public sector), to organise activities to promote the use of Welsh;
 - c to ensure that social care facilities such as hospitals, retirement homes

- b to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Welsh, at least between users of Welsh;
- d to facilitate and/or encourage the use of Welsh by means other than those specified in the above sub-paragraphs.
- a to include in its financial and banking regulations provisions which allow, by means of procedures compatible with commercial practice, the use of Welsh in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;

ACCEPTED

and hostels offer the possibility of receiving and treating in Welsh persons using Welsh who are in need of care on grounds of ill-health, old age or for other reasons;

- e to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in Welsh.

NOT ACCEPTED

- d to ensure by appropriate means that safety instructions are also drawn up in Welsh;

Article 14 – Transfrontier exchanges

ACCEPTED

NOT ACCEPTED

The United Kingdom undertakes:

- a to apply existing bilateral and multilateral agreements which bind them with the States in which Welsh is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of Welsh in the States concerned in the fields of culture, education, information, vocational training and permanent education;
- b for the benefit of Welsh, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Welsh is used in identical or similar form.

[...]