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European Charter for Regional or Minority Languages

APPLICATION OF THE CHARTER IN LIECHTENSTEIN

2nd monitoring cycle

Report of the Committee of Experts of the Charter

adopted on 24 March 2004 and

presented to the Committee of Ministers of the Council of Europe

in conformity with Article 16 of the Charter

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making Recommendations for improving its legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15.1, an outline for subsequent periodical reports that a Party is required to submit to the Secretary General. The report shall be made public by the State. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee's first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee's role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee gathers information from the respective authorities and from independent sources within the State, so as to attempt to obtain a fair and just overview of the real language situation. After a preliminary examination of an initial periodical report, the Committee submits, if necessary, a number of questions to each Party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot" visit by a delegation of the Committee to the State in question. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention. This information-gathering process is designed to enable the Committee to evaluate more effectively the application of the Charter in the State concerned.

Having concluded this process, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers, together with suggestions for recommendations that the latter could decide to address to one or more Parties, as may be required.

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Chapter 1 Background information

1. The Principality of Liechtenstein signed the European Charter for Regional or Minority Languages (hereafter referred to as the Charter) on 5 November 1992 and deposited its instrument of ratification on 18 November 1997. The instrument of ratification is attached as Appendix I of this report. The Charter entered into force for Liechtenstein on 1 March 1998.
2. In accordance with Article 15 para. 1 of the Charter, Liechtenstein presented its initial periodical report to the Secretary General of the Council of Europe on 1 March 1999. The report was adopted by the Parliament of Liechtenstein and the Private Office of the Government as a public document.
3. The first evaluation report was adopted by the Committee of Experts on 7 February 2001. This report concluded that "in the light of the particular situation whereby in Liechtenstein no regional or minority languages are spoken on its territory, it will not propose to the Committee of Ministers to forward any recommendations to the Principality of Liechtenstein". The Government of Liechtenstein was invited to comment on the content of this report in accordance with Article 16 para. 3 of the Charter. No comments were sent to the Secretariat of the Council of Europe. The Committee of Experts did not submit any proposals to the Committee of Ministers, which took note of the report on 19 September 2001.
4. Liechtenstein submitted its second periodical report on 9 March 2002.
5. The present report was adopted by the Committee of Experts on 24 March 2004.

Chapter 2 Findings of the Committee of Experts

6. The Committee of Experts compliments Liechtenstein once again on the commitment and European solidarity it has demonstrated by ratifying the Charter.
7. In its second periodical report, the Government of Liechtenstein explained that the situation in Liechtenstein concerning the protection and promotion of regional or minority languages had not changed since the submission of the first report and referred once again to the declaration contained in its instrument of ratification, which states as follows :

"The Principality of Liechtenstein declares in accordance with Article 2, paragraph 2, and in accordance with Article 3, paragraph 1, of the European Charter for Regional or Minority Languages of 5 November 1992, that there are no regional or minority languages in the sense of the Charter in the territory of the Principality of Liechtenstein at the time of ratification."
8. The Committee of Experts considers that there is no need for further examination of this second report on the situation of regional or minority languages in Liechtenstein and that there are no new elements which justify any departure from the conclusion reached in its first evaluation report. In these circumstances, the Committee of Experts has no recommendations to propose to the Committee of Ministers.
9. The Committee of Experts would nevertheless be glad if the Committee of Ministers would express once again to the Government of Liechtenstein its appreciation of the contribution it has made to the protection and promotion of regional or minority languages in Europe by its ratification and active contribution to the promotion of the Charter.

APPENDIX I: INSTRUMENT OF RATIFICATION



Liechtenstein :

Declaration contained in the instrument of ratification deposited on 18 November 1997 - Or. Fr.

The Principality of Liechtenstein declares in accordance with Article 2, paragraph 2, and in accordance with Article 3, paragraph 1, of the European Charter for Regional or Minority Languages of 5 November 1992, that there are no regional or minority languages in the sense of the Charter in the territory of the Principality of Liechtenstein at the time of ratification.

Period covered: 01/03/98 -

The preceding statement concerns Article(s): 2, 3