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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN LIECHTENSTEIN

3rd monitoring cycle

Report of the Committee of Experts of the Charter

adopted on 8 April 2005 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 initial periodical reports that a Party is required to submit to the Secretary General. The report should 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 of Experts' 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 of Experts' 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 of Experts 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 of Experts 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 of Experts 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 of Experts 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 require

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 15.1 of the Charter, Liechtenstein submitted its initial periodical report to the Secretary General of the Council of Europe on 1 March 1999, and its second periodical report on 9 March 2002. The Committee of Experts adopted their first and second evaluation reports on Liechtenstein on 9 February 2001 and 24 March 2004, respectively (ECRML (2001) 5 and ECRML (2004) 4). The two reports contain identical findings. On both occasions the Committee of Experts took note of Liechtenstein's particular situation of having no regional or minority languages within the meaning of the Charter and concluded that no proposals for recommendations should therefore be sent to the Committee of Ministers. The Committee of Ministers took note of these findings (on 19 September 2001 and 9 June 2004, respectively) and expressed its appreciation of the contribution that Liechtenstein has made to the protection and promotion of regional or minority languages in Europe by its ratification and active involvement in the Charter system.
3. Liechtenstein submitted its third periodical report on 21 February 2005.
4. The present report was adopted by the Committee of Experts on 8 April 2005.

1.1 The work of the Committee of Experts

5. The Committee of Experts took note of the third periodical report of Liechtenstein, which affirms that the declaration contained in the instrument of ratification, deposited on 18 November 1997, continues to reflect the situation in Liechtenstein, that there are no regional or minority languages as defined in Article 1 of the Charter in the territory of the Principality of Liechtenstein.
6. The Committee of Experts has satisfied itself that there are no regional or minority languages traditionally used in Liechtenstein.

1.2. Particular issues arising in the evaluation of the application of the Charter in Liechtenstein

7. German is the official language in Liechtenstein as stipulated in Article 6 of the Constitution of 1921. In its instrument of ratification, Liechtenstein declared that no regional or minority languages in the sense of the Charter exist on the territory of the State. Liechtenstein ratified the Charter in order to underline the importance it attaches to the Charter as an essential tool for preserving and cultivating the cultural diversity of Europe and to contribute to the entry into force of the Charter.
8. As the Charter is not applicable to any regional or minority languages in Liechtenstein, the Committee of Experts has not considered it necessary to perform its normal information gathering procedures to the same extent as it has done in relation to other Parties.

Chapter 2. Findings of the Committee of Experts

9. The Committee of Experts compliments Liechtenstein on the commitment and European solidarity it has demonstrated by ratifying the Charter.
10. The Committee of Experts has 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.
11. In accordance with Articles 16 paras. 3 and 4 of the Charter, the Committee of Experts asks the Committee of Ministers to take note of this report and to express to the Government of Liechtenstein its appreciation of the valuable 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
