Fifth periodical report on compliance with the Council of Europe’s Charter for Regional or Minority Languages in Catalonia 2013-2016
Introduction

The Directorate-General for Language Policy (DGLP) has produced this report on the European Charter for Regional or Minority Languages (ECRML) for the 2013-2016 period. As a division of the Catalan Government (hereinafter referred to interchangeably as the ‘Generalitat’), the DGLP produced the report in collaboration with the Departments of the Presidency, Enterprise and Knowledge, Education and Justice, as well as the Catalan Audiovisual Council. Specifically, it deals with the use of Catalan and Occitan in Catalonia, and was elaborated at the request of the Directorate-General of Relations with the Autonomous Communities and Local Entities (under the Ministry of the Treasury and Public Administration). The fifth report will be sent to the Council of Europe in accordance with the provisions of Article 15 of the Charter.

At the request of the Council of Europe, the Report specifically covers the following areas: education, justice, administrative authorities and public services, the media, cultural activities and services, economic and social life and cross-border exchanges. It is divided into three parts. The first part provides general information on the situation of Catalan in Catalonia, general political developments, Catalan in the European Union, legislation and regulations and the situation of Occitan (Aranese) in Aran. The second part deals with Article 7 of the Charter, focussed on policy and legislation. The third part looks at the Articles devoted to education, justice, administrative authorities and public services, media, cultural activities and services, economic and social life, and cross-border exchanges.

The European Charter for Regional or Minority Languages (ECRML) was approved by the Committee of Ministers of the Council of Europe on 25 June 1992. It came into effect in 1998 following the ratification of six states: Finland, Hungary, Liechtenstein, Norway, the Netherlands and Croatia. It was signed by the Spanish Government in 1992 and the instrument of ratification was deposited with the Council of Europe in 2001. The ECRML has formed part of the Spanish body of law since its implementation on 1 August 2001. The states’ ratifications indicate the languages used and the provisions of the Charter that they decide to apply. Spain’s ratification agreed to apply the highest degrees of protection of native languages other than Castilian Spanish wherever they are official.

The ECRML recognises the languages defined as regional or minority as an expression of cultural wealth, and engages the signatory states to provide education in these languages, in whole or in part, and to use them in the administration, justice system and the media, among other areas. The Spanish declaration specifies that their regional or minority languages are understood as those that are recognised as official in the Statutes of Autonomy of the Autonomous Communities of the Basque Country, Catalonia, the Balearic Islands, Galicia, Valencia and Navarre.

We hope that our report will help Spain to develop its own text, and we will make it available to the Council of Europe’s Committee of Experts to facilitate their assessment of the extent to which it complies with the Charter, in relation to Catalan and Occitan in Catalonia.

Ester Franquesa Bonet
Director-General for Language Policy
Table of Contents

Part I. General information .................................................................................. 4
Catalan in Catalonia ........................................................................................................ 4
General policy developments ..................................................................................... 6
Catalan and the European Union ............................................................................... 7
Legislation and regulations ....................................................................................... 9
The Occitan language, called Aranese in the Val d’Aran (Aran Valley) ............... 12

Part II. Evaluation of article 7. Policy and legislation .............................................. 22

Part III. Information by domains and articles of the Charter ................................. 38
Article 8. Education .................................................................................................. 38
Article 9. Justice ..................................................................................................... 58
Article 10. Administrative authorities and public services ...................................... 68
Article 11. Media .................................................................................................... 79
Article 12. Cultural activities and facilities ............................................................... 91
Article 13. Economic and social life ........................................................................ 102
Article 14. Cross-border exchanges ....................................................................... 112

EDITORIAL NOTE
Sections of the European Charter for Regional or Minority Languages are written in blue italics.

Agreements of the Committee of Ministers of the Council of Europe are presented in a grey frame.

Recommendations of the Committee of Experts are presented in a white frame.
PART I. General information

As of 1 January 2017, the total population of Catalonia was 7,447,131. 64.7% were born in Catalonia, 18.26% in the rest of Spain, and around 17% abroad. These percentages have remained relatively stable over the last four years.

Currently more than 10 million people speak Catalan and more than 13 million understand it. They are spread across the seven different territories where Catalan is a native language: Catalunya (Catalonia), País Valencià (Valencia), Illes Balears (The Balearic Islands), la Franja (eastern counties of Aragon), Andorra, Catalunya Nord (France) and the city of Alghero (Sardinia, Italy; known as L’Alguer in Catalan), according to recent sociolinguistic data and population censuses. The map below shows the complete linguistic scope of the Catalan language across the four states: Spain, Andorra, France and Italy.

Catalan in Catalonia

The latest official data on knowledge of Catalan comes from two sources: the 2011 Census, which includes linguistic data, and the 2013 Survey of Language Uses of the Population (EULP2013), performed by the Directorate-General for Language Policy and the Statistical Institute of Catalonia. Between 1981 and 2013, we have seen an overall percentage growth in terms of Catalan speakers. In absolute numbers the increase has been substantial, which we can attribute to several factors, including: the spread of Catalan in education and the administration, the teaching of Catalan to adults, and the training and outreach activities led by the Consortium for Language Normalisation. We should also add the consolidation of various types of media in Catalan. All of this is explained in further detail in the sections related to these areas in part III of this report.

This upward trend can be observed in the EULP2013 graph showing the overall level of Catalan in the four skills: listening, speaking, reading and writing. We should note that the Survey of Language Uses of the Population is carried out every 5 years. The next official survey will take place in 2018.
The 2013 survey also shows that, between 2003-2013, population growth due to immigration meant that the clearly upward growth actually fell slightly in terms of percentage: 2.2 points in people who understand it; 6.6 points in people who speak it and 1.6 points in people who write it. However, in absolute terms, the number of people who speak Catalan has grown by 475,800; the number of people who understand it has risen by 443,700 and the number of people who can write in it has grown by 472,500. We can see the absolute figures of the population of Catalonia’s abilities across these four areas from the most recent official data from the 2013 survey:

<table>
<thead>
<tr>
<th>Population of Catalonia (in millions). Knowledge of Catalan</th>
<th>Can understand it</th>
<th>Can speak it</th>
<th>Can read it</th>
<th>Can write it</th>
<th>Knowledge of all skills</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>5,899.4</td>
<td>5,207.2</td>
<td>5,152.4</td>
<td>3,776.3</td>
<td>3,765.6</td>
</tr>
<tr>
<td>2008</td>
<td>5,832.2</td>
<td>4,823.4</td>
<td>5,034.4</td>
<td>3,807.3</td>
<td>3,766.1</td>
</tr>
</tbody>
</table>


We can see that practically 100% of the population in Catalonia speaks, understands and reads Spanish, and almost 96% of the population has knowledge of Spanish in all skills. As for English and French, 28.31% of the population claims to have abilities in all four English language skills, while the figure stands at 12.13% for French. The table below compares knowledge of the Catalan language with that of other languages.

<table>
<thead>
<tr>
<th>Population aged 15 years and over according to knowledge of languages. 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Understanding</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>Speaking</td>
</tr>
<tr>
<td>Reading</td>
</tr>
<tr>
<td>Writing</td>
</tr>
<tr>
<td>Knowledge all competencies</td>
</tr>
</tbody>
</table>

Units: Percentage.
Source: idiocat; General Directorate of Linguistic Policy.
General policy developments

Government changes in the Balearic Islands, Aragon and Valencia have curbed the activities of previous governments that were against the recognition and use of Catalan, and therefore against the application of the Charter. They have encouraged cooperation between the institutions of territories that share our Catalan language.

2015 was a year of significant political changes in Catalan-speaking territories, especially due to the results of the municipal and regional elections of 24 May. These elections came after four years in which, outside of Catalonia, the country’s language policies were completely incompatible with the Charter. This became evident in our previous report. During the first five months of 2015, there was an ongoing situation of legal regression of Catalan in Valencia, the Balearic Islands, the Pityusic Islands and the Catalan-speaking part of Aragon. An significant negative event was Act 6/2015, of 2 April, adopted by the Government of Valencia (Generalitat Valenciana). The act was on ‘the recognition, protection and promotion of the identity of the Valencian people’ and went against the principles of the Charter. The law punished the secessionist conception of the Valencian language and detailed administrative measures against any institutions that were beneficiaries of public subsidies that contradicted the law.

On the other hand, changes in government prompted by the results of the aforementioned elections opened up opportunities to apply language policies, designed to broaden the knowledge and use of Catalan. The Spanish People’s Party (Partido Popular) lost its absolute majority in the Valencia Parliament (Cortes Valencianas), the Balearic Parliament and the Island Councils of Mallorca, Menorca and Ibiza. This made it possible to form coalition governments, formed of parties whose programmes included improvements to the legal status of the Catalan language and the extent of its social use. In Aragon, the People’s Party and the Aragonese Party also lost their majority, which had allowed them to govern in coalition during the 8th legislature. In turn, this allowed the new parliament to officially restore the name of Catalan to the language used in the eastern strip of Aragon. The language law laid out in the investiture agreement signed between the PSOE and the Chunta Aragonesista is yet to be approved. Said law will be insufficient if it does not recognise the official status of Catalan and Aragonese languages. In Valencia, the new parliamentary majority has repealed the law mentioned above and has approved a new law to recover regional (autonomous) public service broadcasting and television.

During the first months of the 9th legislature in the Balearic and Pityuses Islands, the new governments and Parliament prioritised the restitution of the legal status quo, dismantled during the previous legislature by the Government and Parliament dominated by the Popular Party. In terms of Catalonia and Aran, the regional parliamentary elections on 27 September 2015 gave rise to a new government in 2016 thanks to an agreement between the coalition of two parties: Junts pel Sí (Together for Yes) and the Candidatura d’Unitat Popular - Crida Constituent (Popular Unity Candidacy – Constituent Call). In terms of language policy, progress is being made to protect the languages covered by the Charter; Catalan and Aranese Occitan. Legal decisions that have negative effects on the Catalan-language educational system are still being made in Spain, in which opposing judicial rulings have taken place once again. Other legal decisions relating to language have generally been negative, following the centralising, anti-Catalan shift of the Constitutional Court in 2010.

In Spanish politics, the Spanish Parliament rejected the Catalan Parliament’s proposal for an organic law to modify the Judiciary Act, along with other related standards for ensuring linguistic rights in the area of justice. Legislative policy of both the Spanish parliament and government has been characterised by the constant violation of the standards for having two or three official languages, and the imposition of an obligatory minimum use of Spanish. Such policies limited the official status and protection of the languages covered by the Charter, by preventing their autonomous usage.
Catalan and the European Union (EU)

In the same section of our previous report, we discussed the agreements made to allow citizens to communicate with European institutions in the official language of their choice, other than Spanish (among other things). We went on to detail the difficulties that these agreements led to in terms of the effective use of Catalan.

We should point out that, since 2007, the Generalitat's Directorate-General for Language Policy has carried out translations for the European Ombudsman. This is the result of an unwritten agreement that came from an email from the Ministry of Foreign Affairs. The email indicated that the Generalitat agency that would initially take on the role of translating correspondence between citizens and the European Ombudsman was the Directorate-General for Language Policy (then known as the Secretariat of Language Policy). Requests for translations began arriving in 2007.

In terms of the status of Catalan in European institutions, there have been repeated initiatives by Catalan politicians to ensure that Catalan is present in the Union, and may be used in European Parliament plenary session. Eight members of Catalan Parliament requested this in a letter to Chairman Martin Schulz after the 2014 European elections, having already done so in 2012. On 12 June 2017, several MEPs used Catalan in the Chamber as a protest against the lack of authorisation to use and translate non-official languages in the plenary, coinciding with the Charter’s 25th anniversary.

The EU still regularly adopts executive and regulatory measures that affect the official uses of languages within Member States. We already referenced this issue in our previous report. According to a note by Narcís Mir for the Revista de Llengua i Dret, no. 67, June 2017 (http://revistes.eapc.gencat.cat/index.php/rd/article/view/10.2436-rd.i67.2017.2876), these provisions end up imposing legal or de facto limitations on the official status of languages in areas and issues that they could act in prior to the intervention of the European Union. They do so by side-lining the existence of languages that have official status in these states without being official languages of the European Union.

The specific field in which this ‘invasive’ regulatory intervention has most regularly occurred has traditionally been, and still is, the workings of the European internal market and the implementation of its fundamental liberties. Recently, this regulatory intervention has also affected matters that establish forms and models of cooperation between member states’ public administrations and EU institutions and bodies. It also affects interactions with citizens via platforms and software applications that have ignored the existence of official languages, other than the one declared as official in the respective member state.

There are many examples illustrating the statement above. For example, we can consult the biannual legislative reports on EU law regarding these topics, which appear regularly in academic forums such as the Revista de Llengua i Dret (http://revistes.eapc.gencat.cat/index.php/rd/index).

For instance, in terms of food product labelling, article 15(2) of Regulation (EU) No. 1169/2011 of the European Parliament and of the Council, of 25 October 2011, on the provision of food information to consumers, states that within their own territory, the member states in which a food is marketed may stipulate that the particulars shall be given in one or more languages from among the official languages of the Union.

With regards to consumer rights, we find another example in Regulation (EU) No. 524/2013 of the European Parliament and of the Council, of 21 May 2013, on online dispute resolution. Article 9, paragraph 3, dedicated to the processing and transmission of a complaint, states that upon receiving a claim form, the online dispute resolution platform will pass the claim on to the requested party in one of the official languages of the institutions of the Union chosen by that party.

Another example, of special note, corresponds with the free movement of workers, services and the right of establishment. In this case, we saw the adoption of Directive 2013/55/EU of the European Parliament and of the Council, of 20 November 2013, amending Directive 2005/36/EC on the
recognition of professional qualifications. From the Charter’s perspective, this was a regressive modification.

Prior to the amendment, article 53 of the latter directive simply stated in a single paragraph that Persons benefiting from the recognition of professional qualifications shall have a knowledge of languages necessary for practising the profession in the host member state.

Despite keeping the same section in identical terms in the text of article 53 of the amended directive, the new directive added three new sections that focus on member states’ control over this linguistic requirement. According to these new sections, states can only ensure that required knowledge is limited to the knowledge of one official language of the host member state, or one administrative language of the host member state, provided that it is also an official language of the Union.

We must note that this is seemingly the first time the expression ‘administrative language of the member state’ has appeared in a provision of this kind.

Finally, and to end this brief list of examples on the invisibility or non-consideration of EU regulations with respect to the official status of member states’ languages that are not official EU languages, we should also mention Regulation (EU) 2015/848 of the European Parliament and of the Council, of 20 May 2015, on insolvency proceedings. This provision contains various articles related to the official use of languages, particularly in articles 22, 25, 36, 54, 55 and 73. Among other things, these articles refer to the use of standardised forms, interconnection software for insolvency registers, and the reporting obligations of the various parties involved in established communication procedures. In all of these areas, only the official languages of the member states and the other official languages of the EU are taken into account. Once again, they do not take into account the existence of official languages within the member states that, in addition to being considered official languages in a part of a member state’s territory, are regularly used by their respective public administrations in relation to their own internal affairs and with the citizens of this territory.

In regulating a specific area, these types of regulations establish an expressed or implied distinction, or differentiated treatment, between the group of official languages of member states and official and working languages of the EU, which are currently treated in the same way, and (through non-disclosure) those languages which, despite being official within a member state’s territory, do not have the consideration of official EU languages.

This distinction resulted in the direct or indirect modification of the official status of languages in this second group, which were recognised domestically prior to the application of the EU regulation. Specifically, this distinction is seen in the relationship between the administration and private persons (in the examples we presented, this affects labelling and professional qualifications), and the autonomous workings of the administration itself (forms and intra-administrative communication applications, in the example above).

This European regulation has a negative impact on basic elements of an EU member state’s language model, regardless of whether or not a language’s official status in its territory can lead to it having the consideration of an official languages in the EU.

The set of regulations confirms the importance of the language having official status in the EU and, in the case of Catalan, the disadvantage of the contrary. In addition, these regulations threaten the aims of the European Charter for Regional or Minority Languages. They also violate the general principle of neutrality of EU law, and of article 4.2 of the Treaty on European Union, according to which the EU respects the identity of member states, inherent in their fundamental political and constitutional structures, inclusive of regional and local self-government, which includes the organisation of its linguistic system.

The effective defence of the Catalan language against the negative effects of EU law on language, both from a preventive perspective (in the EU’s decision-making process) and a reactive one (in the system of resources before the Court of Justice of the European Union), comes down to the central administration of the Spanish State, and the possibilities of it reaching an agreement with the Generalitat.
If no agreement is made, only a significant change of a political and legal nature can stop the steady erosion of the internal official status of Catalan as a result of certain EU rules of substantive law, and allow for the recognition of Catalan within the European Union.

**Legislation and regulations**

With respect to the evolution of the Charter’s application in the period discussed in this report, we can highlight the following:

- A boost in Catalan legislation to develop aspects related to Catalan and Occitan (Aranese in Aran), in a direction that better favours the Charter’s implementation in areas that have been subject to this new regulation, and to develop regulatory forecasts in the field of linguistics contained in Catalonia’s 2006 Statute of Autonomy (Law 6/2006, of 19 July, on the reform of the Statute of Catalonia; EAC)

- In the period covered by this report, the Parliament of Catalonia carried out significant legislative activity regarding language, thus developing and expanding the legal framework, and including linguistic provisions in various laws and regulations related to the different areas of the Charter, such as education, certification of Catalan-language knowledge, or immigration, among others.

Below is a list of the main laws, provisions and regulations adopted during the 2013-2016 period, listed in descending chronological order with a brief summary of each of the regulations:

**2016**


The subdomain of languages falls under the areas of work and society statistics in the Plan. The aim is to look into the basic characteristics of education and training, culture and linguistic reality: the presence of Catalan, of the other official languages of Catalonia and of other languages used in various fields.

- **Resolution CLT/1841/2016, of 12 July, publishing the Census of organisations for the promotion of the Catalan language.**

Published in the DOGC, No. 6663, of 14 July, updating Resolution CLT/1634/2014, of 30 June. This census was created by Order CLT 59/2012, of 22 February (DOGC No. 6089, of 16 March). The resolutions compile various organisations from different Catalan-speaking areas that promote the Catalan language in their various fields, and which are eligible for public subsidies for this purpose.

- **Resolution ENS/2480/2016, of 27 October, which establishes the Erasmus+ programme as well as educational mobility and European cooperation projects, in vocational training and special regime teaching.**

According to the explanatory statement, this is an initiative which, among other priorities, seeks to deepen the commitment to training and increasing awareness amongst all students in the field of multilingualism.

- **Resolution CLT/3002/2016, of 29 December, which announces the tests for obtaining Catalan language certificates from the Directorate-General for Language Policy.**

**2015**

- **Act 17/2015 on effective equality between women and men.**

This law includes some provisions with language components: the preamble states that, to ensure effective equality between women and men, any discrimination must be avoided, including discrimination on the grounds of language. This act also regulates several provisions relating to guaranteeing non-sexist or androcentric use of language.
Resolution GRI/636/2015, of 6 March, announcing an agreement made by the Subcommittee on Regulatory Monitoring, Prevention and Conflict Resolution of the Bilateral Commission of the Generalitat and the State, in relation to the Executive Order of Catalonia No. 8/2014, of 23 December, which creates the Register of legal translators and interpreters working for the courts based in Catalonia.

The agreement adopted by this Subcommittee on 24 February 2015 indicates a will to start negotiations to resolve disputes arising from the Executive Order.

Decree 119/2015, of 23 June, on the organisation of primary education.

This decree implements Act 12/2009, of 10 July, on education in the corresponding educational field. The articles therein provide dispositions regarding the status of the Catalan language, the official status of two languages and the option favouring a multilingual educational project.

Decree 187/2015, of 25 August, on the organisation of compulsory secondary education.

The explanatory memorandum expressly recalls that Act 12/2009, of 10 July, on education, establishes that Catalan is the language normally used as the vehicular and learning language of the education system, as the native language of Catalonia. It also states that the Act determines the language regime of educational centres in Aran. The articles provide dispositions regarding the official status of two languages and the option favouring a multilingual educational project.

Order CLT/49/2015, of 24 February, announcing the LSC Award for the Promotion of Catalan Sign Language of Catalan (LSC).

The purpose of this Order was to promote Catalan Sign Language in the terms provided by Act 17/2010, of 3 June, on Catalan Sign Language. It establishes the Award, which covers three categories and takes place every two years, with the aim of recognising and rewarding people, institutions or initiatives that have distinguished themselves in promoting or advocating Catalan Sign Language.

2014

Decree 150/2014, of 18 November, on services for immigrants and returnees in Catalonia

This establishes the services required to attain linguistic competence in Catalan.

Decree 180/2014, of 30 December, on certifying knowledge of legal language.

This regulation establishes the assessment and certification of specific knowledge of Catalan for legal and judicial purposes, and promotes the evaluation of this knowledge for legal personnel, certifying them in the process of providing jobs in this field. It aims to provide sufficient knowledge of Catalan for judicial purposes and to encourage its use.

Act 13/2014, of 30 October, on accessibility.

This Act provides the stipulations for Catalan Sign Language.

Act 16/2014, of 4 December, on foreign action and relations with the European Union for the international promotion of Catalan language and culture.

The Act establishes that one of its purposes is the international promotion of Catalan language and culture. In this area, it decrees that the Government should enhance the Institut Ramon Llull as an agent of international promotion of the Catalan language and culture as expressed in Catalan. It also establishes that it should coordinate actions with the Government’s delegations abroad and with the European Union, as well as with the Government’s overseas sectorial offices. Similarly, the legal text aims to improve the legal status of Catalan in the European Union, so as to be able use it in European institutions and for it to have official recognition. It also contains references to promoting Aranese Occitan abroad.

Executive Order 8/2014, of 23 December, which creates the Register of legal translators and interpreters working for the courts based in Catalonia.

2013

- **Decree 121/2013, of 26 February, on the new regulation of official claim and complaint forms in consumer relations.**

Catalonia's official claim and complaint forms were regulated for the first time with Decree 171/1991, of 16 July. This established a unified template for claim forms and specified the establishments that required them. The current official forms take into account the new legal regulation in terms of consumption, contained in Act 22/2010, of 20 July, on the Consumer Code of Catalonia, and should be available in Catalan, Spanish and, where applicable, English. In the Val d'Aran, it should also be available in Occitan. By virtue of this regulation, all the official languages are covered, including English, with the aim of offering better service to all consumers in Catalonia.

**Statutes of professional associations**

Several professional associations' statute modifications should also be emphasised, 'fostering the use of the Catalan language among chartered professionals and at institutional and social levels where their profession is carried out'. Amongst others, we must cite the statutes of the Catalan College of Dieticians and Nutritionists, the Catalan College of Economists, the Lleida College of Estate Agents and the Catalan College of Psychology (DOGC No. 6534, of 7 January 2014; No. 6639, of 6 June 2014; No. 6648, of 20 June 2014, and No. 6729, of 16 October 2014).

**Local regulations**

During the same period, several municipal administrations continued to approve regulations for using the Catalan language; for example, the Lleida City Council regulation, published in the Official Bulletin of Lleida Province, No. 212, of 5 November 2014, available at [http://bop.diputaciolleida.cat/faces/consultaF/servlets/donarEdicte?id=2014_212_9251](http://bop.diputaciolleida.cat/faces/consultaF/servlets/donarEdicte?id=2014_212_9251). The 1983 Catalan Law of Language Standardisation compelled the Generalitat, local authorities and universities to have approved language regulations to promote the use of Catalan, and Aranese Occitan where relevant, in institutions and as part of their relations with the general public. The 1998 Language Policy Act maintained this obligation and extended it to all public corporations. We mentioned this in our first report, part III, article 10, corresponding to the second cycle for monitoring the implementation of the 2003-2005 Charter.

Nevertheless, during this period two Supreme Court (TS) rulings on 5 May 2015 dismissed the appeals brought by the Lleida and Girona provincial governments against two rulings of the Superior Court of Justice of Catalonia (TSJC), of 6 March 2013. Via said rulings, the Court annulled several precepts of the Regulation for the use of Catalan in the Girona provincial government, as approved by the plenary of the provincial corporation on 18 May 2010, and the Regulation for the use of Catalan and Occitan-Aranese in the Lleida provincial government, approved by its plenary on 18 June 2010. In part III, article 10 of our previous report, these regressive rulings were discussed in terms of their compliance with the Charter. The TSJC abolished the consideration of Catalan as a language of preferential use for the Girona provincial corporation, and of Catalan and Occitan in the respective territories where each language is native in the case of the Lleida provincial government, which was detailed in the second article of both regulations. The rulings override several similar articles from both regulations in which the use of Catalan is generally established as the default language, with Castilian Spanish being used at the request of the citizen. These articles are in line with the official status of Castilian Spanish, and simply establish a measure to promote the use of Catalan in being the language of first contact with the citizen. The abolition of these articles gives rise to legal uncertainty, which is always detrimental to the minority languages protected by the Charter. In order to motivate most of its decisions, the judge turned to the Constitutional Tribunal's ruling (TC) 31/2010. This court declared the adjective **preferential** as unconstitutional in its consideration of Catalan being the language used by public administrations included in the first section of article six of Organic Law 6/2006. Let us recall that TC ruling 31/2010 seeks to standardise equality between Catalan and Spanish: ‘Every official language is a language of common use by and with public powers - even when it shares that quality with another Spanish language. Therefore, Castilian Spanish is also used by and with the Catalan public administrations, which, like public state authority in Catalonia, can have no preference for either of the two official languages’ (FJ 14.a). Although the TC left some ground to establish singular measures in favour of Catalan, it is no longer based on the character of the Catalan language itself: ‘The definition of Catalan...
as a native language of Catalonia cannot justify the statutory imposition of preferential use of that language to the detriment of Castilian Spanish, which is also an official language in the Autonomous Community, by the Public Administrations and the public media of Catalonia, notwithstanding the fact that the legislature may adopt appropriate and proportionate language policy measures to correct historical situations of imbalance, if any, in one of the official languages with respect to the other, thus correcting the secondary or deferral position that either of them may have.”(FJ 14.a; Italic added).

Jurisdictional Conflict

The previous section shows the new litigation caused by the TC 31/2010 ruling, a breach of the Statute of Autonomy of Catalonia previously approved by a referendum of the people of Catalonia.

In the period covered by this report, we should again point out the impetus against the application of the Charter caused by new jurisprudential trends throughout this period. Regressive jurisprudence against the application of the Charter was mainly initiated by the TC 31/2010 ruling, of 28 June, which undercuts the Statute of Autonomy approved by a referendum. This jurisprudence encourages legal challenges in courts, with the aim of curbing initiatives that favour the use of the Catalan language. Likewise, courts' judgments in relation to language aspects tend to be systematically contrary to the Catalan language in all areas of dispute.

As mentioned in our previous report, much of the language legislation passed in 2009 and 2010 by Catalan Parliament was the subject of separate appeals to the TC. With the laws passed in 2010, the legal argumentation is based on the new regressive and recentralising interpretative elements that the Constitutional Court itself introduced in the 30/2010 ruling, of 26 June, against the Statute of Autonomy of Catalonia. We refer to this same section of our previous report to reproduce the list of laws challenged before the TC:

- By the Socialist-majority Spanish Government at the time of the challenge (Act 35/2010, of 1 October, on Occitan, Aranese in Aran)
- By the parliamentary group of the People’s Party, then in opposition (Act 22/2005, of 29 December, on Audiovisual Communication in Catalonia; Act 12/2009, of 10 July, on Education; Act 20/2010, of 7 July, on cinema; Act 22/2010, of 20 July, on the Consumer Code of Catalonia)
- By the Spanish Ombudsman (Act 22/2010, of 20 July, on the Consumer Code of Catalonia), with the parliamentary group of the People’s Party, and Act 10/2010, of 2 May, on the reception of immigrants and returnees to Catalonia, in this case alone.

Despite the time elapsed, the High Court has not yet rendered any judgments on them.

In addition to the long list of laws, with the consequent legal uncertainty that is always detrimental to the Catalan language, we expand on the ongoing jurisdictional conflict caused by the oft-mentioned TC 30/2010, of 26 June, in part III of this report, in the section on article 8 regarding education.

Still, in the comments on article 13 regarding economic and social life, we note a ruling that demonstrates state litigation in minor aspects such as, in this case, security guards’ badges.

The Occitan language, called Aranese in the Val d’Aran (Aran Valley)

Occitan is the historical language of the Val d’Aran territory. This local variety of the Occitan language is commonly called Aranese in its own territory.

Legal and linguistic recognition

Aranese Occitan has seen progressive legal recognition in Catalonia. The 1979 Statute of Autonomy, in Article 3.4, stated that the ‘Aranese language will be taught and afforded special respect and protection’. Since then other legal texts have increased this recognition. Prior to 2006, there was the 1983 Law on Language Normalisation, which devoted its fifth concept to the standardisation of the use of Aranese, the Val d’Aran Special Regime Law of 1990, which provides for the execution of powers in education and culture by the Val d’Aran Government (Conselh Generau d’Aran) and Act 1/1998 on Language Policy that, in summary, established the same recognition of Catalan for Aranese.
In 2006, the Statute of Autonomy of Catalonia gave the Occitan language official status in Catalonia, in Article 6.5. However, it should be noted that it was adjusted by referring its regulation to a subsequent law, and to other precepts of the Statute itself in terms of linguistic rights. In 2010, Catalan Parliament approved Act 35/2010, of 1 October, on Occitan, Aranese in Aran, which lays out the statutory precept thereof.

This modulated legal framework sets out a dual intensity of the language’s official status, depending on the territorial scope of application. On the one hand, it has territorial official status in Val d’Aran, where Occitan has the legal status of a native language and preferential use, as well as prerogatives of legal protection similar to those of Catalan in the rest of Catalonia. On the other hand, there is also official status beyond the Val d’Aran, in the whole of Catalonia, that obliges the Generalitat and Catalan Parliament to guarantee the language rights of people who wish to communicate in either spoken or written Aranese Occitan with public administrations located in Catalonia.

Language area
The majority of the Occitan language area is in France, where it covers approximately the southern third of the country (190,000 km² and 16,000,000 inhabitants). The Occitan language area is also made up of the 18 alpine valleys of the Piedmont and Liguria regions (Italy), known as Valadas Occitanas (4,500 km² and 200,000 inhabitants); The Principality of Monaco (2 km², 31,800 inhabitants), the Val d’Aran in Catalonia (633.6 km² and 10,056 inhabitants) and the Occitan-speaking enclave of the population of Guardia Piemontese, (21 km², 1,863 inhabitants; La Gàrdia, in Occitan), in the Calabria region (Italy).

The following map illustrates the Occitan language area and its main dialects (coloured), with the exception of the Calabrian population of La Gàrdia, next to the Catalan language area (grey).

Number of speakers
In 1920, linguist Jules Ronjat estimated that there were 10,000,000 Occitan speakers in France alone. At present, we are faced with a generalised lack of reliable statistical data as mentioned in the previous report (2010-2012) on the whole of the language area, given that it is mostly in France, where no new studies have been carried out.
Since the surveys undertaken by the regional governments of Languedoc-Roussillon (1991 and 1997) and Midi-Pyrénées (2010), no new statistical data has been available for France.

Since 2012, the only statistical operation that offers any data on the Occitan language is the one carried out by the Government of Catalonia in 2013 via the ‘Language Use of the Population Survey’, covering the entire area of Catalonia and specifically the Val d’Aran. The results of the survey data are detailed below.

The situation of the Val d’Aran
The Val d’Aran covers 633.6 km² and has 10,056 inhabitants. It represents a very small part of the Occitan linguistic area. However, it is where it has greatest recognition and legal protection, broadest use and both social and institutional prestige.

Furthermore, it is the only Occitan-language area for which reliable data is available thanks to the sociolinguistic surveys carried out by the Generalitat for the whole of Catalonia every five years.

For the period covered by this report, the Language Use Survey (EULP) was carried out in 2013. Taking into account the reality of the Occitan language in the Val d’Aran, this area was treated differently in that 400 personal surveys were completed, representing a larger sample than in other parts of Catalonia, in addition to greater reliability of data.

According to the 2013 Language Use Survey (EULP), the total population of the Val d’Aran is 10,090 people, 80.7% of whom understand Aranese and 55.6% speak it. The use of Aranese as the most commonly-used language has declined since 2008. Aranese is the most commonly-used language for 17.6% of the area’s population, with Catalan as the main language for 16.4% and Spanish for 55.1%. 10.6% of the population speaks other languages or combines them.

Occitan in the European Union
The Statute of Catalonia recognised the Occitan language as official in Catalonia in 2006. This implies official consideration as one of the languages of the Spanish State according to the Constitution, and for this reason it also receives recognition from the European Union.

We should bear in mind that Article 55.2 of the Treaty on European Union (the Maastricht Treaty), Article 358 of the Treaty on the Functioning of the European Union, and Declaration 16, annexed to the Final Act of the Intergovernmental Conference that adopted the Treaty of Lisbon, signed on 13 December 2007, provide for the possibility of translating these treaties into other languages that are official in the Member States.

For this reason, the Generalitat started translating the full texts published in the Official Journal of the European Union (C 83) into the Occitan language (Aranese variant). Specifically, the documents to be translated were:

- Treaty on European Union,
- Treaty on the Functioning of the European Union,
- Protocols
- Appendices
- Declarations annexed to the Final Act of the Intergovernmental Conference that adopted the Treaty of Lisbon,
- Correlation Tables

In addition, the Charter of Fundamental Rights of the European Union (proclaimed on 12 December 2007 in Strasbourgh by the Parliament, the Council and the European Commission) was translated into Occitan.

The initiative has been undertaken since October 2012 in conjunction with the Conselh Generau d’Aran. In February 2014, both administrations formally agreed to request the Spanish Ministry of Foreign Affairs to process the depositing of the Occitan-Aranese version of the European treaties. Finally, on 13 August 2014, the Spanish Government deposited the EU treaties (in their Aranese variant) at the request of the Generalitat. The deposit included the consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union.
Legislation and regulations on the Aranese language
For the period covered by this report, we must mention the following provisions regarding the Occitan language in Catalonia, given the ongoing development and consolidation of the protection framework. In chronological order, these are:

- Decree 12/2014, of 21 January, granting the Institut d'Estudis Aranesi the status of an academy and a linguistic authority of Occitan, the native language of the Val d'Aran and an official language in Catalonia.
- Act 1/2015, of 5 February, on the special regime for Aran.
- Act 5/2017, of 28 March, on fiscal, administrative, financial and public sector measures.

Summary of the aforementioned legislation
- Decree 12/2014, of 21 January, by which the Institut d'Estudis Aranesi is given the status of an academy and a linguistic authority for Occitan, the local language of the Val d'Aran and an official language in Catalonia,
  - The Decree implements the mandate afforded in Article 4.3 of Catalan Act 35/2010 on Occitan. According to this article, the Institut d'Estudis Aranesi went from being an autonomous organisation of the Aranese administration (Conselh Generau d'Aran) to a new, independent public-law organisation, exercising linguistic authority as an academy on the Aranese variation of the Occitan language in Catalonia.
  - The Decree explicitly establishes the unity of the Occitan language and the classical spelling according to the grammar and linguistic works of Loïs Alibert as the principles of academic activity. For this reason, it lays out a mandate for collaborating with agencies, institutions and entities of the whole of the Occitan-speaking region to establish a reference standard for the language as a whole.

- Act 1/2015, of 5 February, on the special regime for Aran.
  - In terms of language legislation, the most relevant event has been the approval of Act 1/2015. Although the implementation of the official status of Occitan in Catalonia was undertaken in Catalan Act 35/2010, of 1 October, on Occitan, Aranese in Aran; the new Act 1/2015 incorporates various articles of linguistic content that consolidate aspects that were already mentioned in Act 35/2010.
  - Article 8 of Act 1/2015 again recognises the Occitan character of Aranese language and legally reinforces Occitan as Aran’s native language, as well as its common and preferential status for use by public administrations in Aran. It also establishes its vehicular nature in teaching and educational centres in Aran, as well as language policy coordination with the Government of Catalonia to favour Occitan in areas such as the administration of justice.
  - Article 8 includes the legal consequences of the presence of Occitan in Aran, which is already established in the third section of article 2 of Act of Parliament 35/2010, of 1 October, ‘Occitan, Aranese in Aran’ - currently suspended due the appeal of unconstitutionality filed by the Spanish Government on 27 July 2011. The third paragraph of Article 8 of Act 1/2015 adopts the principle that Occitan ‘is official in Catalonia’, which was previously established in Organic Law 6/2006 (Article 6.5). Regarding the recognition of language rights, article 9 of the Act lays out the rights of the people to use and know the language and to be served in Occitan Aranese. It also establishes the validity of any document written in Occitan Aranese.
  - Act 1/2015 brings together the rights recognised in various provisions of Act 35/2010 (sections 3, 8, 9.1 and 10.1) and completes them, inasmuch as, in addition to ‘all public administrations’ in Aran, these rights also affect ‘public and private entities that depend on them’, and include the right to be communicated to in Aranese (Article 9.1).
  - The Institut d'Estudis Aranesi is the subject of Chapter V (Article 46), whereby the provisions developed by Decree 12/2014 mentioned above are raised to a higher legal rank, and the Institute is consolidated as an independent corporation of public law that is academic in nature.
  - As regards the ‘promotion, standardisation and regulation of the use of Occitan’, Act 1/2015 recognises full competence in matters of language in the territory of Aran for the Conselh Generau d’Aran, ‘in accordance with the general laws in force in Catalonia regarding
language policy and education’ (article 51.1), and establishes a mandate for the Aranese government to collaborate with other Occitan-language territories to promote and protect it. This article provides for cooperation with the Catalan Government (Article 51.4 obliges the Generalitat and the General State Administration to cooperate ‘in accordance with their powers’). It is complemented by Article 81, which also establishes that the Generalitat must project and promote Occitan for its international recognition.

- Finally, article 76 of the Act includes defending Aranese toponymy, and article 84, on the bilateral commission between the Catalan and Aranese governments, foresees coordination in the matter of standardisation and language policy for Occitan and its funding.

**Jurisdictional Conflict**

- Act 5/2017, of 28 March, on fiscal, administrative, financial and public sector measures
  - This law establishes specific legal measures in relation to Occitan:
    a) The ability to acquire tax benefits for donations made to activities promoting Occitan. This includes donations to organisations such as the Institut d’Estudis Aranesi.
    b) In accordance with European regulations, legal empowerment to exercise professional duties and to regulate access to sworn translation and interpreting. This regulation, which had already been adopted with Catalan, now provides for Occitan for the first time.

The Spanish Government’s appeal against the four articles of the Law that declare preferential use of Aranese Occitan by public administrations in Aran is retained. There is no foreseeable resolution to this dispute, which was launched in 2011 as part of an upsurge of appeals against any rule or legislation regarding the promotion of languages other than Castilian Spanish.

Specifically, the Government’s appeal against Act 35/2010 refers to ‘the fact that Aranese is classified as a ‘preferred’ language across public authorities in Article 3 (a) of the Law on Aranese. Thus, the contested articles are 2.3, 5.4, 5.7 and 6.5, all of which include this concept of ‘preference’.

It should be noted that the Spanish Government’s challenge was not seconded by an appeal from the Ombudsman, as with similar cases referring to the Catalan language. Act 35/2010 was approved in October, after the Constitutional Tribunal ruling of June 2010 on several precepts of the Statute of Autonomy, including one referring to the preferential use of the language. This timing allowed the Ombudsman to interpret the scope of the preferential nature of Occitan differently. Our report for the previous period (2010-2012) covers this in more detail.

- Act 1/2015, of 5 February, on the special regime for Aran
  - Article 8 of the new law regarding the special regime of Aran establishes a preferential use of Aranese in the territory’s public administrations, despite the fact that the same preferential nature was the reason behind the appeal against four articles of Act 35/2010.

In accordance with article 33.2 of the Organic Law of the Constitutional Court, in March 2015 the Spanish Government lobbied the Generalitat to negotiate prior to filing an appeal for constitutionality for several precepts of Act 1/2015. This included the aforementioned article 8 due to the preferential nature of Occitan in Val d’Aran.

The process preceding the appeal was settled on 3 November 2015 by the Bilateral Commission of the Generalitat and the State’s Subcommittee on Regulatory Monitoring, Prevention and Conflict Resolution (Resolution PRE/2883/2015, of 9 December, making the Subcommittee’s agreement public). The Spanish Government did not end up filing an appeal against the preferential nature of the use of Occitan, and so Article 8 of the aforementioned Act remains fully in force. Nevertheless, a ruling by the Constitutional Court against this preferential nature (from the articles of Act 35/2010) could affect the application of Article 8.
Recommendations of the Council of Europe’s Committee of Ministers that affect Catalonia

1. To modify the legal framework with the aim of making it clear that the criminal, civil and administrative judicial authorities in the Autonomous Communities may conduct proceedings in the co-official languages at the request of either party;

Despite the Committee of Ministers and the Committee of Experts’ repeated recommendations in the successive cycles for monitoring the Charter’s application, Spanish Parliament has in no way adapted article 231 of the Organic Law of the Judiciary, or any other state legislation, to comply with the Charter. Neither the Spanish Parliament nor the State Government have modified the legislation to adapt it to the provisions of Organic Law 6/2006, of 19 July, on reforming the Statute of Autonomy of Catalonia, with respect to the requirement to know the official native language when it comes to recruitment in Catalonia. The fourth Report reiterates the need to amend the legal framework, both at the recommendations of the Committee of and of the Council of Ministers.

As pointed out above, the competent authority to push for legislative change is the State, specifically through amending the Organic Law of Judicial Power and the respective procedural laws. However, the various proposals for change, both in the area of legislative action (Congress of Deputies), and in the area of political-administrative management of the judiciary (Ministry of Justice and General Council of the Judiciary), have been systematically neglected or simply rejected by the central authorities of the State. This constitutes an action by omission from the State, which increasingly marginalises the use of Catalan in justice, as well the language requirements of staff in this field. The parliamentary opposition has tried repeatedly, and unsuccessfully, to effectively comply with the international commitments acquired by the Spanish State, in its instrument of ratification of the European Charter for Regional or Minority Languages. The Committee of Ministers and the Committee of Experts’ recommendations adopted at the end of 2016 - the latest cycle for monitoring the Charter’s application in Spain - brought together several parliamentary initiatives in Spanish Parliament, ranging from questions to non-legislative proposals presented by different parliamentary groups. Some of them were formalised and debated in the chamber during the second half of 2016. A good example of this are the various non-legislative proposals put forward by the federated parliamentary group of Unidos Podemos, En Común Podemos and En Marea, concerning the need for Spain to comply with the European Charter for Regional or Minority Languages. The Congressional Culture Committee agreed to approve the initiative with modifications at the meeting on 25 October 2016. Among other things, this non-legislative proposal specified that Congress considered it necessary to comply with the recommendations of the Committee of Ministers of the Council of Europe on the Charter’s application, and urged the various public authorities to adopt different measures within the scope of their powers in different public spheres, such as Justice Administration, State Administration or education, with the aim of fully complying with the Charter. The proposal explicitly aimed to extend the legal protection of languages within the country.

It is also worth mentioning the most important initiatives of a legislative nature that originated in parliamentary groups or Catalan institutions and which have been been directly rejected. Firstly, there was the Catalan Parliament's Legislative Proposal to amend Organic Law 6/1985, of 1 July, on the Judiciary. It proposed that knowledge of the co-official language and of the native law of the Autonomous Community of destination should be considered a requirement for service provisions in the judicial sphere (122/000109, published in the BOCG on 21 June 2013), presented to the Congress of Deputies. This initiative proposed modifying articles of the Organic Law of the Judiciary regarding the use of language, in order to establish parity with Castilian Spanish (Article 231 LOPJ), as well as of the precepts relative to evaluating native language knowledge amongst judicial personnel, thus establishing a system in which knowledge thereof was a requirement. The proposal was rejected with votes against from the People’s Party, which was the party in government.

comply with the Council of Europe’s recommendations on applying Article 9 of the European Charter for Regional or Minority Languages, with respect to carrying out judicial proceedings in Catalan at the request of any of the parties, and the language training of judicial staff.

In November 2014, the governing party in Catalonia was Convergència i Unió, with the support of ERC, PSC, ICV and CUP. At their request, Catalan Parliament approved a new proposal for an organic law amending the Organic Law on the Judiciary, and other related regulations on language rights in the field of justice, to include knowledge of law and the native language as a requirement for judges and prosecutors filling vacancies in Catalonia, in accordance with the Catalan Statute of 2006 (Resolution 846/X of the Catalan Parliament). It was presented to the Spanish Parliament and rejected in 2015 with the decisive vote of the Spanish Government’s parliamentary group. The initiative was the result of intense debate and work conducted by the Catalan parliament, with professionals and experts from the field of law and language policy. It proposed changing the knowledge assessment of an official language other than Castilian Spanish in all judicial bodies (and also in the public prosecutor’s office), and established rules of joint linguistic use with Castilian Spanish in the administration of justice.


Basically, it sought to extend the accreditation of competence in a native language as a requirement to fill vacancies for judges, magistrates, prosecutors, judicial secretaries and Justice Administration staff, provided for in the third section of article 33 of Organic Law 6/2006, (Article 1, 2, 5-15, second additional provision). It also included the same requirements for members of the jury courts (first additional provision). Furthermore, it sought to amend Article 231 of Organic Law 6/1985, which stipulates that ‘in all judicial proceedings, Judges, Magistrates, Prosecutors, Secretaries and other officers of Courts and Tribunals shall use Castilian, the official language of the State’ (Paragraph 1), and only authorises the use of ‘the official language of the Autonomous Community too, if none of the parties opposes, whereby claiming ignorance thereof may lead to defencelessness’ (second paragraph). Apart from the imprecision of the scope of the adverb ‘too’ (it is not clear whether it authorises the language instead of Spanish, or, on the contrary, only if used jointly with Spanish), the imposition of the compulsory minimum use in double or triple official regimes violates the presumption of equality of each language’s officiality.

For regulatory clarification, coherence with the official status of three languages in Catalonia and Aran, and for the protection of the language rights of citizens and progress towards the functional completeness of minority languages, the immediate possibility of using any of the official languages interchangeably in legal proceedings is absolutely necessary. And with this we refer to judges, magistrates, prosecutors, court clerks and other officials of courts and tribunals, as detailed in Article 3.1 of the Proposal). This section also developed the concept of ownership and the necessary protection of the minority language in this field, and stipulated that ‘regardless of the language used in the proceedings, the judicial bodies’ must communicate with the authorities, administrations and citizens in the language of the Autonomous Community’. This requirement, as far as communication with citizens are concerned, must be understood as concurrent or compulsory use, compatible with bilingual uses if the citizen also requests communications in Spanish, as acknowledged in the third section of the Proposition text. The second section of the proposed wording recognised the right of ‘the parties, representatives and those who direct them, as well as witnesses and experts’ to use any of the official languages, either (a) if they are official in the territory where the procedure is known, or (b) they are in the territory where the events occurred or the events subject to the proceedings took place; if, for reasons of judicial order, any part of the judicial proceedings take place in courts based in other areas that do not use any of the languages that are official in the area of origin. This provision was particularly relevant given the existence of courts that specialised in political crimes based in Madrid, where there have been cases in which the right to declare in official languages other than Castilian Spanish has not been recognised, or where there have been serious irregularities in the quality of interpretations of defendants’ statements. Paragraph 5 of the new text would have recognised the full validity of judicial proceedings in an official language other than Spanish, whereby the proceedings would have had an effect in areas where that language is not official, or ‘before bodies with jurisdiction throughout the State’. It also established that the Ministry of Justice ‘or the competent authority of the Autonomous Community’ will assume ‘the mechanisms to translate’ documents ‘under their responsibility’. However,
at the meeting on 12 May 2015, Spanish Congress refused to consider the Catalan Parliament's Proposition. Had it been accepted, the Proposition would have facilitated compliance with the Council of Europe's Committees of Ministers and Experts' recommendations, which were reiterated over and over again in the successive monitoring cycles of the Charter’s implementation.

More recently, and in a similar direction, the parliamentary group formed of Podemos, En Comú Podem and En Marea presented the non-legislative proposal on protecting and guaranteeing language rights in the field of Justice (file 161/000623; published in the BOCG on 5 May 2016). The initiative is specifically linked to the European Charter and the requirements of the Committee of Experts and the Committee of Ministers. The proposals include amending the regulatory framework to ensure the right to choose the language, in order to favour minority languages or to establish a requirement for judicial personnel to guarantee sufficient knowledge of the minority language. The initiative expired due to the end of the legislature.

Legislative changes in procedural laws, including on language issues (e.g. Organic Law 5/2015, of 27 April, transposing Directive 2010/64/EU, of 20 October 2010, concerning the right to interpretation and translation in criminal proceedings; and Directive 2012/13/EU, of 22 May 2012, on the right to information in criminal proceedings), but the reform of the precepts concerned has not been raised in the Council of Europe's reports.

The Generalitat has continued with its policy of support and promotion to try to fill the deficiencies of state legislation, and to ensure the presence and use of Catalan in the field of Justice. Part III, Article 9, on the Administration of Justice, briefly mentions the actions carried out by the Generalitat relating to compliance with this article of the Charter, in accordance with its limited powers over those of the State, and thus continuing the actions already mentioned in the previous report.

The Committee of Ministers’ recommendation to the Spanish authorities

2. Continue to take the necessary legal and practical measures to ensure that an adequate proportion of judicial personnel assigned to the Autonomous Communities has the capacity to work in the relevant languages, in application of Article 9 of the Charter;

From the Committee of Experts’ report:

4. However, in this fourth monitoring cycle we have seen that significant problems detected in previous processes are still present. The regulations regarding the right to have proceedings before the judicial and State Administration authorities in the chosen language have not changed, despite the Committee of Ministers' recommendation. The Organic Law of the Judiciary is one of the most important obstacles to complying with Article 9 of the Charter.

77. Although certain improvements have been made according to the Spanish authorities, the Committee of Experts reiterates the need to amend the legal framework.

81. While the Spanish authorities believe that some improvements have been made, the Committee of Experts reiterates the need for legal and practical measures to be taken to ensure that a sufficient proportion of judicial personnel assigned to the Autonomous Communities has a working knowledge of the regional or minority language in question, in application of Article 9 of the Charter.

The state legislation ignores the linguistic ability requirement that appears in Organic Law 6/2006, of 19 July, on reforming the Statute of Autonomy of Catalonia, regarding the necessary requirement to have knowledge of the official native language when filling vacancies in Catalonia. State legislation, supported by jurisprudence, also prevents the application of this Organic Law and the Council of Europe's Committees of Ministers and Experts' recommendations in terms of applying the Charter within the scope of the Generalitat's powers. Thus, until 2006, the Generalitat had established the requirement of Catalan language knowledge to access temporary vacancies in the Administration of Justice, the only category of vacancies for which the Generalitat has powers. A Supreme Court ruling of the same year definitively abolished that language requirement after the Generalitat's constant attempts to maintain it and its detractors' equally constant challenges to eliminate it.
During the period of the report there have been no substantial changes in the language profile of officials serving the Justice Administration. Basically, civil servants from the various bodies and departments working in Justice are credited with a knowledge of Catalan language (years of seniority in the judges' and Justice Administration lawyers' hierarchy, or points in other civil servants), however, in no case is such knowledge a requirement. In turn, the Generalitat's Department of Justice has repeatedly urged the Spanish government to modify the practice of not requiring a certain knowledge of Catalan from the members of the civil service that work for the Administration of Justice; a practice which sometimes even contravenes the civil service’s own organic regulations, such as the provision of public prosecutor vacancies. So, article 36 of the Statute of the Prosecutor’s Office stipulates that knowledge of the official native language other than Spanish is a determining merit in the provision of public prosecutor vacancies. However, this rule has never been applied by the State. In the case of members of the Public Prosecutor’s Office, a non-decursive merit is only recognised for substitute prosecutors. Moreover, Royal Decree 634/2014, of 25 July, regulating the regime of public prosecutors’ substitutions, has further reduced the merit of knowledge of an official language other than Castilian Spanish, the former being already quite marginal. Thus, for example, the Catalan Minister of Justice has made requests in this regard in letters from 5 October 2015 and 25 April 2016, the latter addressed to both the Minister of Justice and the President of the General Council of the Judiciary, reminding them of the specific requirements of the Fourth Report of the Charter’s Committee of Experts. The response of the head of the Ministry of Justice was limited to expressing the opinion that current Spanish legislation, both in terms of citizens' language rights and the assessment of knowledge of Catalan among judicial staff, already complies with the Charter’s demands.

The regulation adopted in 2014 on substitutions for public prosecutors is very similar to the previous 2002 regulation and has neglected an opportunity to introduce a regulatory improvement for the language in line with the Statute of Autonomy and the organic Statute of the Public Prosecutors.

The paradox remains that jobs can be provided and are provided at all levels of the Administration of Justice with people with no knowledge, either oral or written, of Catalan, and staff must meanwhile make decisions and write statements in files where Catalan is used and the citizen can demand it be used. There have been parliamentary and Justice Department initiatives to counteract this paradoxical situation, but they have either been rejected or received no satisfactory answer.

The foreseeable outcome of the Agreement of 27 May 2014 by the General Council of the Judiciary's Standing Committee is not much better. It approves the regulatory bases for granting aid to finance training activities carried out by members of the legal profession and those activities sponsored or promoted by legal associations, which provides funding for judges to be trained in ‘co-official’ languages. Certainly, at this point the problem for Catalan in the Administration of Justice and for citizens ’ language rights has nothing to do with the expense of training a judge in Catalan, since the Autonomous Communities already offer Catalan training to their staff. The real problem, which the General Council does not even raise, is that a judge can occupy a vacancy in Catalonia and does not require the slightest knowledge of Catalan.

Catalan in the drafting of entry exams to become a lawyer

After the enactment of Royal Decree 775/2011, of 3 June, which approves the Regulation of Act 34/2006, of 30 October, on Access to the Professions of Lawyer and Court Barrister, since 2014 the State has set exams in which it was impossible to use the languages protected by the Charter, and in which knowledge of these languages, despite being official, was not assessed until the end of 2016. The Generalitat filed a positive conflict of powers before the Constitutional Tribunal that the latter resolved with the Ruling of 20 November 2014 in favour of the State. Previously, Resolution 691/X of the Catalan Parliament, on entry exams for lawyers and court solicitors (Resolution adopted by the Justice and Human Rights Committe of the Catalan Parliament, in session no. 22, of 5 June 2014, published in BOPC, no. 342, of 23 June 2014, available at http://www.parlament.cat/document/bopc/52412.pdf) pressingly urged the Generalitat to negotiate with the Ministries of Education and Justice to ensure that entry exams for lawyers and solicitors were made in a decentralised way so that applicants could use the official language of their choice. The Generalitat and a lawyers’ association whose objective is the use of Catalan also lodged an administrative appeal in relation to the use of the Catalan language in the exams, and in relation to the assessment thereof, respectively. The Supreme Court ruled on the Association’s appeal, which requested the annulment of
Article 17 of the Royal Decree, because in establishing a single exam throughout Spain, it prevented assessing knowledge of official languages other than Castilian Spanish. This judgment of the Supreme Court of 25 February 2016 on the Association's appeal is also negative, with the aggravating circumstance that it imposes the costs of the proceedings on the Association by retroactively applying a rule that was subsequently established by the ancillary sentence. This monetary sentence not stipulated by the law in force at the time of the appeal threatened the Association's very existence. Subsequent to this negative ruling, on 15 September 2016, the Spanish and Catalan governments agreed that the exams can at least be carried out in Catalan, and applicants were eventually given this option in the exams on 29 October 2016. However, the exams still do not assess knowledge of Catalan.

The Committee of Ministers’ recommendation to the Spanish authorities
4. continue to take measures to ensure the presence of co-official languages in public services, especially health care;

From the Committee of Experts’ report on Aranese Occitan:
878. As the Spanish authorities did not provide any information in the third evaluation report on implementing this commitment, the Committee of Experts asked them to explain this implementation in the next periodic report. In addition, the Committee of Ministers recommended that Spain ‘ensure that regional or minority languages are present in health service provision’.
879. According to the fourth periodic report, the signage of the Hospital de Aran is in Aranese. In addition, the hospital uses paperwork in Aranese. However, no information is available as to whether medical staff speak Aranese and whether other social services (e.g. nursing homes) use the language.
880. The Committee of Experts is not in a position to make a conclusion on the implementation of this commitment, and has requested the authorities to provide more specific information in the next periodic report.

With the aim of correcting the deficiencies detected in the field of health, the Government of Catalonia has taken action to guarantee the presence and use of Catalan and Aranese in healthcare. See Part III, Article 13.
PART II. Evaluation of article 7. Policy and legislation

The following article of the Charter will be discussed in this part:

Paragraph 1.
With respect to regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practices on the following objectives and principles:

a) recognition of the regional or minority languages as an expression of cultural wealth;

b) respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to promoting the regional or minority language in question;

c) the need for resolute action to promote regional or minority languages in order to safeguard them;

d) the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;

e) the maintenance and development of links, in the areas covered by this Charter, between groups using a regional or minority language 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 teaching and studying regional or minority languages at all appropriate stages;

g) the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;

h) the promotion of studying and researching regional or minority languages at universities or equivalent institutions;

i) the promotion of appropriate types of cross-border exchanges, in the fields covered by this Charter, for regional or minority languages used in an identical or similar form in two or more States.

Paragraph 2.
The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language, for which there is an intention to discourage or endanger its maintenance or development. It is not considered discrimination of the users of more widely-used languages when special measures are adopted in favour of regional or minority languages, when they are aimed at promoting equality between the users of these languages and the rest of the population, or at taking their specific circumstances into account.

Paragraph 3.
The Parties undertake to promote mutual understanding between all the linguistic groups of the country. In particular, this includes respect, understanding and tolerance in relation to regional or minority languages when it comes to education and training provided within their countries. They also agree to encourage the media to pursue the same objective.

Paragraph 4.
In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups that use such languages. If necessary, they are encouraged to establish organisation to advise the authorities on all matters pertaining to regional or minority languages.
Paragraph 5.
The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures needed for this Charter’s application shall be determined in a flexible manner, bearing in mind the needs and wishes of the groups that use the languages concerned, and respecting their traditions and characteristics.

The article is then broken down with additional comments underneath:

Paragraph 1.
With respect to regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practices on the following objectives and principles:

a) recognition of the regional or minority languages as an expression of cultural wealth;

The Generalitat recognises the importance of its own languages (Catalan and Aranese in the Val d’Aran), and works to make these languages vehicles for communication in all areas of life, notwithstanding the need to learn Spanish or foreign languages such as English or French. This forms part of a European framework of constant cooperation and promotion of languages, minority or otherwise, as elements that unite us. This report specifies the different programmes that the Generalitat is currently working on to recognise and promote the native languages throughout.

b) respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to promoting the regional or minority language in question;

Fourth Report from the Committee of Experts.

Chapter 4: Conclusions and recommendations
G. Cooperation between Autonomous Communities in which the same or a similar language is spoken is still problematic in certain areas, such as education or broadcast media, to the detriment of the languages in question. Shared responsibility is required in order to protect them. Cooperation between peripheral offices of the State Administration located in different Autonomous Communities should also be improved, especially when they speak the same language or a similar one.

During the period analysed in this report, we can see a large difference between two moments, which represent a 180-degree turn in relations between Catalonia and other Spanish territories that share the same language: Valencia, the Balearic Islands and Aragon.

First period, up to May 2015. This period is in line with the previous report, which highlights a complete lack of cooperation with the authorities that governed Valencia until May 2015. We should highlight the lack of cooperation and refusal to recognise the unity of the language by the Valencian and Aragonese political authorities, along with the refusal to cooperate in information exchange, recognition of qualifications, media broadcasting, and many other elements.

Second period, from May 2015 to the present day. Since the new government in the Generalitat Valenciana, led by the parties Compromís - Partido Socialista del País Valencià, in the Balearic Islands, the parties MES and Podemos, and the Socialist Party in Aragon, the relationship between the various Catalan-language regions of Spain has intensified. This has resulted in improved communication, unity of language and the linguistic structuring of a territory that shares cultural and linguistic ties, despite being divided administratively. This will be discussed in more depth in article 14 of this report.

We can cite many examples of this structuring and cooperation between different regions, especially since May 2015. Among many others, let us highlight the following examples:
1. Periodic meetings of the different Language Policy departments of the Catalan, Valencian and Balearic governments

2. The IV Conference on Language and Society of Catalan Language Territories, in which representatives of all Catalan-speaking governments - Catalonia, Valencia, Balearic Islands, Aragon, and also in other states such as southern France (Catalunya Nord) or the historically Catalan-speaking city of Alghero (in Catalan, L’Alguer) in Sardinia (Italy) - were brought together under the coordination of the Generalitat’s Directorate-General for Language Policy. The purpose of this conference was to promote language as a means of social cohesion, territorial structuring and as bridge between administratively divided regions. For more information, see: http://premsa.gencat.cat/pres_fsyp/AppJava/cultura/notapremsavw/294135/ca/conseller-sanli-vila-obre-iv-jornada-llengua-societat-territoris-parla-catalana-crida-construir-nous-espais-collaboracio.do

3. The Catalan Government’s collaboration with all Catalan-language territories, initially in 2013 and intensified after 2015, to obtain knowledge on the situation of Catalan throughout the entire area. For more information, see: http://premsa.gencat.cat/pres_fsyp/AppJava/cultura/notapremsavw/296183/ca/govern-collabora-universitat-illes-balears-lanalisi-situacio-catala.do

4. Recognition and standardisation of the certification that proves knowledge of Catalan throughout the linguistic domain. For the first time, representatives of the Catalan, Valencian and Balearic governments have been working on mutually recognising the certifications awarded by each community to recognise knowledge of the Catalan language (which is known as Valencian in Valencia). Once again, this demonstrates the imperative need for collaboration between the different administrations to promote the common language. For more information, see: http://llengua.gencat.cat/ca/detalls/noticia/Ester-Franquesa-Marta-Fuxa-i-Ruben-Trenzano-debatran-lhomologacio-dels-titols-de-coneixements-de-llengua-catalana-arreu-del-domini-lingueistic

5. Recognition of the unity of the language. The departments responsible for language policy in the Catalan, Valencian and Balearic governments have intensified their relationship to work collaboratively on adopting single versions of administrative and legal texts. They collaborated on translations of State and European legislation, with the aim of cooperating for the benefit of Catalan, their common language, and to become more efficient in terms of public resources, avoiding the division and language gap that had previously occurred. For more information, see: https://www.diarilaveu.com/noticia/23161/pais-valencia-catalunya-i-les-illes-es-comprometen-a-promoure-lus-de-la-llengua


7. Declaration of Palma. In February 2017, the governments of the Generalitat de Catalunya, the Generalitat Valenciana and the Balearic Islands undertook to strengthen historical and cultural ties in the area of Catalan language in Palma, in the Balearic Islands. For more information, see: http://llengua.gencat.cat/ca/detalls/noticia/Declaracio-de-Palma

\[\text{c) the need for resolute action to promote regional or minority languages in order to safeguard them;}\]

In addition to the legislation set out in other sections, the Generalitat has continued to approve or modify regulatory provisions containing articles concerning the use of languages, so that the use of official languages is allowed at the very least, and the use of Catalan or, if applicable, Aranese Occitan is promoted. We refer back to the sections corresponding to the subject matter of these provisions so as not to reiterate the information contained in this report.
With respect to obstacles regarding this article’s application, please see the section on Protection of Catalan and Occitan in the rest of the State. Within the comments on this provision contained in our report on the third monitoring period of the Charter’s implementation, and the paragraph entitled Obstacles for applying this precept and the one that preceded it, contained in section d).

\textit{d) the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;}

Initiatives for facilitating and/or promoting the use of Catalan

\textit{Voluntariat per la Llengua (Volunteering for the Language) Programme}

Voluntariat per la Llengua (VxL) is a programme for practising Catalan through conversation. It is based on the creation of language partners formed by a fluent Catalan volunteer and a learner with basic knowledge wanting to improve fluency. The VxL offers two methods: face-to-face (the partners must go to the meeting place they have agreed) and virtual (the partners meet on the Internet, via videoconference programmes).

Promoted by the Directorate-General for Language Policy and managed regionally by the Consortium for Language Standardisation (non-governmental organisations also collaborate to a lesser extent), this programme was created in 2003 to broaden use of the language. From then until 2016, 111,924 language couples have been created.

It is an initiative recognised by the European Union that has been adopted in Aran, Perpignan, Andorra, Valencia, the Balearic Islands, Bolzano in Italy and Flanders in Belgium.

The chart below shows the evolution of the programme from its inception in 2003 to the present day. As can be seen, during the 2013-2016 period, the annual number of language partners has exceeded 10,000.

In total, during the 2003-2016 period, 111,924 language couples were created.
In 2016, 10,018 language partners were formed, equivalent to the number reached the year before. A total of 9,996 people participated: 6,036 learners and 3,960 volunteers, providing conversation in Catalan to people who wanted to acquire fluency and confidence in the language.

Voluntary learners have increased continually. In other words, these are learners who acquire enough knowledge to help other people. In 2016 there were 42, a number that continues to demonstrate the validity of a programme that is, in its area, a European benchmark.

The VxL has a wide support network to facilitate meetings between couples and to stimulate their training as indicated by the 4,307 agreements signed throughout the year by the Consortium with 683 entities, which offer activities and spaces to practise Catalan, as well as 3,624 collaborating establishments that help the programme participants to practise.

Furthermore, 1,855 complementary activities were carried out to stimulate the programme, such as going to the theatre or cinema, or activities related to reading, gastronomy, sports, etc., with 70,286 participants.

In terms of territorial coverage, the programme has been present in 210 towns and cities in Catalonia. In terms of sectors, the programme works in areas such as justice, business, sports, health, education and religious or functional diversity, creating 2,339 language partners, 23.35% of the total number of couples formed.

It should be noted that for the second consecutive year, the age range of volunteers between 18 and 29 ranks second, which is also thanks to the collaboration of the Department of Young People and the Catalan Agency of Young People in their dissemination of the programme.

Thus, the Voluntaris per la Llengua programme has been a very useful social tool for Catalan knowledge and usage, and continues to be so.

Other initiatives

The Directorate-General for Language Policy has continued to create other initiatives to promote the oral and written use of Catalan.

There is also the T’agradarà llegir en català programme (You’ll love to read in Catalan). The project is led by the Association of Digital Magazine Publishers and the Association of Periodical Publications in Catalan, with the support of the Generalitat's Directorate-General for Language Policy. It has three main objectives:

• Encouraging people to read magazines in Catalan
• Promoting consumption of such magazines
• Strengthening the presence of magazines in Catalan in establishments open to the public

The data on the programme's scope for 2015, 2016 and 2017 (up to March 2017) is detailed below:

2015

• 9,000 magazines in Catalan
• 28 mastheads (publisher's pilots)
• 300 health centres
• 96 towns and cities

2016

• 9,000 magazines in Catalan
• 43 mastheads (publishers ask to be part of the programme)
• 300 health centres
• 48 towns and cities (greater focus on the city of Barcelona)
• 97% of the recipients consider the initiative as very positive
• 20% of the recipients subscribe to APPEC journals

2017

• 9,000 magazines in Catalan (1st shipment was from 28 to 31 March)
• 50 mastheads
• 300 bars and cafes
• 98 towns and cities

Census of Organisations fostering the Catalan Language
The Generalitat continues to encourage social organisations that work to promote Catalan to form part of the Census of Organisations fostering the Catalan language.

This Census gathers foundations and associations that carry out activities to promote Catalan within their scope of action. Fostering the Catalan language is understood as the organisation of activities that promote positive attitudes towards Catalan or tend to increase its knowledge or use among the population in general, or in specific groups. This is stipulated by Order CLT 59/2012, of 22 February (DOGC 6089, of 16 March), on the Census of Organisations fostering the Catalan language.

During the 2013-2016 period, the number of organisations that joined the Census increased significantly. As of 2017 there are 198 organisations in the Census.

An up-to-date list of organisations can be consulted at the following link:

Tax relief
As in our previous report, under Article 7.1.c, it is worth repeating that tax relief for donations has continued to be applied to foundations and associations registered in the census of non-profit organisations dedicated to fostering Catalan in accordance with the provisions of article 1 of Act 21/2001, of 28 December, on fiscal and administrative measures, published on 31 December. The Act establishes a 15% deduction on the amounts donated, with a maximum limit of 10% of the full tax quota. This practice provides support to the numerous non-governmental organisations whose aim is to advocate the use of the Catalan language.

The most recent list of organisations that form part of the census was published by Resolution CLT/1841/2016, of 12 July, by which the Census of Organisations that foster the Catalan language was carried out. The list of all those organisations that work towards socially promoting Catalan in its various fields is continually being updated and published. We refer to this in greater depth in article 13 of this report.

Occitan Aranese
In terms of promoting the Occitan language in Val d’Aran, we can highlight the following initiatives within the 2013-2016 analysis framework:

Occitan Agenda
Since 2013 the Directorate-General for Language Policy has had a specific set of actions to promote measures to foster Occitan in Catalonia. These measures form part of the implementation of Catalan Act 35/2010, of 1 October, on Occitan, Aranese in Aran.

Annual Report on Language Policy
The Directorate-General for Language Policy issues a language policy report each year. Since 2012 this report has incorporated data on the situation of Aranese Occitan, as well as information on various language-related actions and initiatives by the various public administrations. The report published the main sociolinguistic data and is presented annually to the Catalan Parliament in a briefing session.
In the period covered by this report, the background of budgetary restraint has been maintained to meet the public deficit reduction targets marked by Europe. Even so, in 2016, and in a regulatory framework of budget postponement, there was a significant increase in resources allocated to actions favouring the Occitan language, and so they exceeded the total resources allocated prior to 2011. Until then the total was around 100,000 EUR. In 2016 the resources allocated to Occitan by the Directorate-General for Language Policy reached 142,500 EUR.

a) Financing the Institut d'Estudis Aranesi - Aranese Academy of the Occitan Language

After the impetus to create the Institut d'Estudis Aranesi as a new independent academic body for exercising linguistic authority over the Aranese variant of Occitan in Catalonia (the aforementioned Decree 12/2014), and its subsequent formal constitution with all its members in July 2015, the Generalitat's Ministry of Culture has worked to provide finance for the agency for the initiation and implementation of activities. To this end, a 30,000 EUR grant was awarded in 2016, and in 2017, a 40,000 EUR budget was approved in the Generalitat budgets for that year.

b) Grants for promoting the Occitan language

In the period covered by this report (2012-2016), the Catalan Ministry of Culture has subsidised the Cercle d'Agermanament Occitano-Català (CAOC) organisation each year to implement annual programmes to promote Occitan language and culture in Catalonia. The same organisation also teaches Occitan-language courses over four levels: A1, A2, B1 and B2. This subsidy was granted directly within a framework lacking associations or private organisations interested in the Occitan language. The grant had been 20,000 EUR for each financial year and in 2016 it was increased to 25,000 EUR.

c) New line of grants

In the period covered by this report new Occitan language and culture initiatives have appeared. This includes Jornalet, the digital information gazette in Occitan, which began publication on 31 March 2012 in Barcelona. For this reason, the Catalan Ministry of Culture has agreed to create a new line of grants for activities promoting Occitan in Catalonia. This was initiated recently via Resolution CLT/1226/2017, of 25 May, approving the specific conditions for providing grants to promote the knowledge and use of Occitan, Aranese in Aran, in Catalonia. The corresponding call for bids was made on 12 June 2017, and at the time of writing applications are still being received and selected.

d) Tax relief

The Catalan Government has extended a tax break to the Occitan language in the regional tranche of Personal Income Tax (IRPF) for donations made to promote the language. From 2017 onwards this instrument, which has operated for several years for Catalan, incorporates donations from individuals to private non-profit organisations promoting the use of Occitan. Donations to the Institut d'Estudis Aranesi are also included. In March 2017, Catalan Parliament approved the legal modification needed for this, and implementation thereof will be completed in 2018 with the development of specific regulations for a register of Occitan-language promotion organisations in Catalonia.

The Law establishes a 15% deduction on the amounts donated, with a maximum limit of 10% of the full tax quota. This course of action is an important incentive for non-profit and private organisations develop activities to promote Occitan language, among their other objectives.

Obstacles in applying this precept and the one before it

In terms of article 7.1, sections c) and d), we again refer back to to our previous report on the third monitoring period sent to the State Administration, repeating criticisms of the action and inaction of the State in the section called Protection of Catalan and Occitan in the rest of the State. We would also like to refer to the criticisms of the State's actions contained in part III of our last report on the fourth monitoring period, which was also sent to the State Administration and, in this case, to the Committee of Experts. These criticisms can be found in each article, especially number 10, paragraph 1, in that they represent ongoing breach of subparagraphs (c) and (d) of this paragraph. Finally, we refer to part

28
III of this report, where in each section, as in our previous report, we highlight the obstacles for the Spanish State to use Catalan and other languages protected by the Charter.

In the period since our two previous reports, there has been a visible increase in complaints in the media for alleged verbal and even physical assaults, arrests, accusations, coercions and threats, primarily and allegedly by the State-dependent security forces against people who spoke to these agents in Catalan. Most of these accusations were in Valencia and the Balearic Islands, where State security has not been replaced by a regional police force. In Catalonia, given that it has its own police force, complaints against State security forces mainly appear in border areas, which is where these forces operate and exercise their powers. At the same time, there seems to have been an increase in offences against companies or clients that are spoken to in Catalan. Additionally, we have seen cases of hostility outside Catalan-speaking territories from some uncompromising individuals simply from hearing Catalan. Unfortunately, there are numerous articles, letters to the media or complaints on social networks related to the language discrimination that people using Catalan have suffered. The Linguistic Guarantees Offices of the Directorate-General for Language Policy (see Language Policy Report, page 79), the Sindic de Greuges (Catalan Ombudsman) and the Catalan Consumer Agency receive many complaints about obstacles in using Catalan, referring to such instances in their annual reports. In our previous report we mentioned the case of an NGO publishing the 40 cases it considered most serious during the 2007-2013 period, which can be consulted here <https://www.plataforma-lengua.cat/estudis/interior/116>. Since then this same NGO has published further reports gathering ongoing complaints affecting Catalan speakers. For example, here are the two most recent at the time of writing:

- Report dated 11 March 2016 with 37 cases of language discrimination from the previous two and a half years. It covers the period from 1 July 2013 to 31 December 2015, and are additional to those detailed in the 2013 report, which we referred to in this section of our previous report <https://www.plataforma-lengua.cat/que-fem/estudis-i-publicacions/170/%C2%ABsi-me-hablas-en-catalan-se-suspende-el-juicio%C2%BB-els-drets-linguistics-en-via-mort%C2%BB>.


One particular case demonstrates the severity of harassment by state police against citizens for speaking Catalan. In this case, a person filed a complaint against the Spanish police with the Catalan police, regarding the grievances and threats the man received on 4 September 2016 at Barcelona airport. The complaint can be read here: https://s3-eu-west-1.amazonaws.com/imatges.vilaweb.cat/nacional/wp-content/uploads/2017/03/den%C3%BAncia-de-Xavier-Casanovas.pdf. The investigating judge archived the case on the grounds that he could not identify the agents in question. Six months after the events, on 13 March 2017, the complainant received a notification of the opening of a disciplinary procedure ‘in relation to the regulations for the protection of public safety’. The state police’s claim against the citizen is based on the application of controversial State Organic Law 4/2015, of 30 March, on the Protection of Citizen Safety, handing important powers to the state police. According to the text of the police report, the citizen committed a serious violation because he ‘ignored the orders given by the agents involved and thus hindered their police work and delayed the normal flow of passengers’. The outcome was a proposed fine of 601 euros for the citizen. Given the impossibility of being fined for the mere fact of speaking Catalan, some citizens claim that they have been subject to other types of punishment by the state police.

The increase and continuation of cases of hostility against Catalan speakers is closely related to the explanations mentioned in our previous report in relation to paragraph 3 of this article.

e) Under the scope of this Charter, the maintenance and development of links between groups using a regional or minority language 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;
Conclusion of the Committee of Experts:

G. Cooperation between Autonomous Communities in which the same or a similar language is spoken is still problematic in certain areas such as education or broadcast media, to the detriment of the languages in question. Shared responsibility is required in order to protect them. Cooperation between the local offices of the State Administration located in different Autonomous Communities should also be improved, especially when they speak the same or a similar language.

Initiatives for cooperation between linguistic communities

Collaboration protocol
The Ministry of Culture, via the Directorate-General for Language Policy, and their counterparts in Galicia, the Basque Country and the Balearic Islands, have maintained an ongoing dialogue in terms of promoting their own languages in a framework of joint participation in several projects. This should lead to shared effective cooperation in favour of Galician, Catalan and Basque.

It is worth mentioning that, in 2016, other governments with their own languages, such as Valencia, Aragon, Navarre and Asturias, showed their interest in joining the protocol in order to share good practices and projects with different linguistic communities in Spain. Annual meetings have been held consistently.

Institut Ramon Llull
The Catalan and Balearic governments created the Institut Ramon Llull in 2002 as an instrument to project the Catalan language, the culture expressed in it and the cultural production of these two regions abroad. The main objective is to promote Catalan language and culture by internationalising it, promoting artistic and cultural exchanges and supporting studies of Catalan language and culture at universities. The Institut Ramon Llull (IRL) is a public body created with the aim of promoting the study of Catalan language and culture abroad. It spans academia, literary translation and ideas, as well as Catalan cultural production in other areas such as theatre, cinema, circus, dance, music, visual arts, design or architecture.

The institute is currently put together by the Generalitat and Barcelona City Council. The People’s Party in the Balearic Islands decided to drop out of its participation in the institute when it was in power, however the new government has taken steps to re-join it.

To this end, the institute has signed agreements with universities abroad to promote the teaching of Catalan studies, and coordinates and provides support to more than 140 Catalan studies centres around the world. In parallel, it supports international Catalan associations and encourages advanced studies and linguistic research at prestigious universities. As the official certification body for knowledge of Catalan abroad, it organises tests to accredit the different levels following the Common European Framework of Reference for Languages.

The IRL also forms part of the Ramon Llull International Foundation, together with the Government of Andorra, Barcelona City Council, the General Council of the Pyrénées-Orientales in France, the city of Alghero (Sardinia-Italy) and towns and associations of the Ramon Llull network in Valencia and the Balearic Islands.

Other initiatives include the Awards to recognise people or institutions outside the linguistic domain that have worked to promote Catalan language and culture internationally. These awards are given out in November at the National Auditorium of Andorra. In 2014, the Fundació Ramon Llull (FRL) represented the Catalan language (formerly represented by the IRL) for the first time at the Expolanguages international language and culture fair in Paris.

An aspect of Catalonia's collaboration with other particular regions that should be highlighted is the renewal of the framework agreement for cross-border cooperation until 2019, with the possibility to extend it until 2023. This agreement was made between the Generalitat and the General Council of the Pyrénées-Orientales region of France. It gives continuity to joint and collaborative actions within the
Catalan Cross-Border Area, made up of the regions of Girona and the Pyrénées-Orientales, a territory with more than 1.2 million inhabitants marked by a common history and language, important cultural ties and powerful infrastructure and economic relations.

There is ongoing cooperation between the different Catalan-speaking areas to promote the language. The Balearic Islands government has shown an interest in joining the IRL and is working towards this.

European Network to Promote Linguistic Diversity
The Directorate-General for Language Policy continues to focus on cooperation between different regional or minority languages in Europe and is a founding member of the European Network to Promote Linguistic Diversity (NPLD).

In 2015 and 2016, meetings were held with the Secretary of the European Charter for Regional or Minority Languages, Sixto Molina, and the European Commissioner for Education, Culture and Youth, Tibor Navracsics, as well as with the European Parliament’s Intergroup on Languages.

Promotion of Occitan
Since 2012, each year the Catalan Ministry of Culture has subsidised general Occitan courses given by the CAOC association (Cercle d'Afrairament Occitano-Catalan) in Barcelona. The CAOC courses are structured according to the learning levels of the European Common Frame of Reference and cover 4 levels: A1, A2, B1 and B2. In 2016, the Directorate-General for Language Policy increased the support to these courses to design and teach a C1-level course. This is the first time that a C1 level of Occitan has been offered in Barcelona. This course was taught for the first time during the 2016-17 academic year in Barcelona.

\[f)\] the provision of appropriate forms and means for teaching and studying regional or minority languages at all appropriate stages:

The Consortium for Language Normalisation
The Consortium for Language Normalisation (CPNL), formed of the Generalitat and 135 local associations, offers training in Catalan throughout the region via 22 standardisation centres. As of 2016, more than 1.7 million people have learned Catalan since the association’s creation in 1989.

The general courses follow the programmes of the Directorate-General for Language Policy, in accordance with the established Common European Framework of Reference. They are structured into six levels; from starter level, for those who with no knowledge of Catalan, up to the highest level, which indicates a very advanced level of the language. The training can be completed via different learning methods: face-to-face, distance learning, online via Parla.cat and others.

In 2016 the CPNL organised 3,455 face-to-face courses in 159 locations, with 69,414 people enrolled. Registration with the face-to-face courses represent about 93% of all enrolments - 74,610 in 2016 - with other methods representing 7%. This data presents a slight increase from 2015, when 3,292 classroom courses were organised in 159 locations, with 66,603 enrolments.

Parla.cat
The launch of the Generalitat's virtual learning environment Parla.cat at the end of 2008 gave people access to learning Catalan. The training is structured into four levels of learning: basic, elementary, intermediate and proficiency, corresponding to competence levels A2, B1, B2 and C1 of the Council of Europe's Common European Framework of Reference for Languages. Students can choose to between two learning methods: free or with tutoring.

The figures indicate a progressive increase of people enrolled in the Parla.cat programme, as can be seen in the table below:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>158,817</td>
<td>183,325</td>
<td>207,762</td>
<td>230,381</td>
</tr>
</tbody>
</table>

Source: DGPL
**Aula Mestra (Master Class) Programme**

This is a virtual Catalan-language teaching and learning space linked to Parla.cat. Within this environment, Catalan teachers from all over the world can create, manage and impart courses. In the Aula Mestra the courses are classified into eight categories corresponding to the six levels of general language learning: specialised language, information for teachers and, in addition, a category with the courses from language standardisation centres that use the platform for their virtual training provision.

During the 2013-2016 period, user numbers have been increasing, reaching 277,206 visits from 97 countries in 2016. There are 3,968 new registered users and the total is 14,912 as of 31 December 2016. The number of page views is 4,116,020, compared to 3,275,191 in 2015.

**g) the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;**

**Citizenship and migration plan. Horizon 2020**

This is the continuation of the Generalitat’s 2009-2012 Citizenship and Immigration Plan, which groups together the different programmes and actions carried out by Government departments, whilst influencing the Catalan model of migrant integration. This model has been elaborated over time, not only involving the Catalan government, but also local governments, economic and social figures, organised civil society and society as a whole, including newcomers.

The main objective of the Plan is to develop, advance and coordinate immigration policies in Catalonia.

In a growing context of multilingualism in Catalonia, where there are speakers of more than two hundred languages, it is important to promote knowledge of the Catalan language as a language local to Catalonia. To this end, the 2016 Plan includes actions that allow for the learning of the Catalan language and its use. Among others, we can highlight the following:

**Plans for the language introduction programme of the Consortium for Language Standardisation (CPNL): Catalan language courses**

The language introduction programme that takes place in the CPNL not only consists of offering Catalan training to new arrivals and providing materials and linguistic resources, but also includes complementary activities that encourage the use of the language. Thus, the CPNL is the main tool of linguistic integration for the non-Catalan-speaking population in Catalonia.

The most recent data from the CPNL demonstrates the relevance of the institute: More than half of enrolments onto CPNL courses corresponds with courses that play an essential role in receiving migrants, i.e., the initial and basic levels. As we explained in the section on Legislation and Regulations, the 2010 Immigration Reception Law establishes basic knowledge of Catalan as an important element of integration, and offers all of the necessary courses via the Consortium. Spanish-language training is also offered to whoever requests it through adult education.

In 2016, 40,040 foreign students enrolled. 66.3% of the people enrolled in all courses were born abroad. This percentage ranges from 88% of the courses from the initial and basic levels to 3.4% of the upper level. It should be noted that the number of foreigners at the highest levels increases each year.

The Consortium, in collaboration with the Ministry of Equality, Migration and Citizenship, has organised Catalan courses aimed at immigrants: 242 courses have been taken with 5,291 students.

In order to facilitate the search for resources for language professionals teaching Catalan in these circumstances, the Directorate-General for Language Policy has set up a database of language resources for this purpose. It is a virtual reference space with more than 400 resources.

- **Vivint junts** (Living together). Materials to learn Catalan. Collection of materials used by the Directorate-General for Language Policy and the Department of Immigration to promote the use of Catalan. Initially created as sheets that were included in specific newspapers of immigrant groups, they have been converted and adapted as didactic materials for the linguistic programme.
In 2010, a new line of sheets was published *Activities on streets with history* (Activities on streets with history) that, through a range of dialogues, deals with the most important events in Catalan history.

- *Viure a Catalunya. Aprenem català des de...* (Living in Catalonia. Let’s learn Catalan from...)

Materials that provide a first contact with the Catalan language, at the same time allowing them to practice everyday phrases, facilitating communication with the host society. These materials have been edited based on the different native languages of the groups of recently arrived people: Tamazight, Arabic, Spanish, Romanian, Russian, Urdu and Chinese.

**Welcome website in Catalonia**

As we said in our previous report, this website includes basic information that is useful to anybody who has just arrived in Catalonia or is planning to do so. It is available in 10 languages, Catalan and Spanish, and the 8 most spoken languages by immigrants in Catalonia: English, French, Arabic, Tamazight, Chinese, Urdu, Romanian and Russian. It is divided into thematic blocks: Catalonia, welcome, legislation, neighbourhood and coexistence, economy and work, education, health, housing, social services and citizen participation. [www.acollida.gencat.cat](http://www.acollida.gencat.cat)

**The Generalitat’s First Welcome Service. A key tool from 2015**

The First Welcome Service is a service provided by local authorities in collaboration with social agents. The aim is to promote equal opportunities amongst citizens and personal independence among immigrants, refugees and returnees to Catalonia, who have just been registered in Catalonia. The Service was developed during 2015 but 2016 was the first year it was rolled out throughout Catalonia and certificates were issued. The certificate proves that the person has completed training in languages, and has knowledge of work and society in Catalonia, as established by the aforementioned 2010 Immigration Reception Law and in the section on Legislation and Regulations. The certificate is signed jointly by the Generalitat and the local authority where the person is registered. It is relevant in formal procedures for foreigners, such as certification of settlement.

**Requests received**

Up to 31 December 2016, 1,754 requests were registered. (34 in 2015 and 1,720 in 2016).

1) *the promotion of appropriate types of cross-border exchanges, in the fields covered by this Charter, for regional or minority languages used in an identical or similar form in two or more States.*

We refer back to the information laid out in sections b) and e) of this section and to part III, article 14.

**Paragraph 2.**

The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language, for which there is an intention to discourage or endanger its maintenance or development. It is not considered discrimination of the users of more widely-used languages when special measures are adopted in favour of regional or minority languages, when they are aimed at promoting equality between the users of these languages and the rest of the population, or at taking their specific circumstances into account.

As far as Catalonia is concerned, the Linguistic Guarantees Offices referred to in our two previous reports continue to offer their services.

As for the Spanish Government, it continues to enact regulations that require the use of Castilian Spanish in a way that prevents the autonomous use of official languages in the area in question, and invades territorial competences in terms of language. This should be exercised by the corresponding administration in each case, in the sense indicated in the Charter, and not by systematically imposing Spanish. In our previous reports we have repeatedly echoed this proliferation of rules (see Part I and the comments on Article 10 in part III of our first report for the second monitoring period, Part II, Article 7.2 in this same paragraph, and part III, article 13 ‘Evaluation of the application of ECRML Article 13 in...
State regulations’, in our reports corresponding to all the monitoring periods, from the third one to now. We refer back to the examples and comments in the corresponding sections of our three reports and different sections in this report.

During this period, the regulatory imposition of Spanish spans a wide range of areas: administrative courts, traffic signs, issuance of university certificates, registration documents, administrative documents for the marketing, publication, advertising and coproduction of films, food, medicines and sanitary products, pyrotechnic materials, sports, radio equipment, etc.

For example, in the case of sports (we refer to the other areas in the respective sections of the Charter), the following provisions, among others, impose Spanish:

Resolution of 11 February 2015, of the Presidency of the National Sports Council, ‘by which the Statutes of the Royal Spanish Equestrian Federation are published’ (Article 15.2 of the Statutes); Resolution of 24 April 2015, of the Presidency of the National Sports Council, ‘by which the Statutes of the Spanish Sports Dance Federation are published’ (in this case, article 1.7 adds that if a text is written in the local language of the region, the Spanish version will have priority, in case of interpretative doubts); Resolution of 1 June 2015, of the Presidency of the National Sports Council ‘by which the modification of the Statutes of the Royal Spanish Athletics Federation is published’ (article 16.2 of the modified text); Resolution of 3 June 2015, of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Royal Spanish Olympic Shooting Federation is published’ (article 98 of the modified text); Resolution of 5 June 2015, of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Royal Spanish Cycling Federation is published’ (article 15.4 of the modified text); Resolution of 9 June 2015, of the Presidency of the National Sports Council, ‘by which the Statutes of the Royal Spanish Canoeing Federation are published’ (article 92.8 of the Statutes); Resolution of 18 September 2015, of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Royal Spanish Olympic Shooting Federation is published’ (article 98 of the modified text); Resolution of 21 September 2015, of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Spanish Fencing Federation is published’ (article 16.2 of the modified text) published; Resolution of 22 September 2015 of the Presidency of the National Sports Council, which publishes the amendment to the Statutes of the Spanish Federation of Sports of Persons with Cerebral Palsy and Acquired Brain Damage (article 5 of the modified text); Resolution of 23 September 2015 of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Spanish Federation of Sports for Persons with Intellectual Disability’ (article 23.3 of the modified text) is published; Resolution of 23 September 2015 of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Royal Spanish Federation of Judo and Associated Sports’ is published (article 12.2 of the modified text); Resolution of 30 September 2015, of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Royal Spanish Volleyball Federation is published’ (article 56.3 of the modified text); And Resolution of 30 September 2015, of the Presidency of the National Sports Council, ‘by which the modification of the Statutes of the Spanish Federation of Olympic Wrestling and Associated Disciplines (article 65.4 of the modified text) is published.

In 2016, resolutions from the Presidency of the National Sports Council, under the Ministry of Education, Culture and Sport, continue to appear in a similar direction, in which they agreed to publish the statutes or amendments thereof of several Spanish federations, such as canoeing, volleyball, badminton, boxing, golf or tennis. In the articles of all these statutes, language provisions are mainly given around the prescriptive use of at least Spanish when issuing of licenses for regional sports federations.

As for betting, Spanish is also imposed by Order HAP/1369/2014, of 25 July, which approves the basic regulation of cross betting, and modifies different ministerial orders that approve the basic regulation of certain bets; as well as Order HAP/1370/2014, of 25 July, approving the basic regulation for fruit machines.

The accreditation of language competence to access Spanish legal nationality

Act 19/2015, of 13 July, ‘on administrative reform measures in the area of the Administration of Justice and the Civil Registry’, contains a language clause in the provision regulating the procedure for obtaining Spanish legal nationality by residence (third paragraph of the seventh final provision). Specifically, it establishes a Spanish language test (any of them should be understood, but in practice it is interpreted as referring to Castilian Spanish, as opposed to other Spanish languages) equivalent to

34
A2 level of the Council of Europe’s Common European Framework of Reference (from which applicants from states where Spanish is ‘the official language’ are exempt). The application of the law does not recognise the knowledge of official languages other than Castilian Spanish. There is only a Spanish test, and not one of any of the official languages in the applicant's community of residence is provided for. Ministerial Order JUS/1625/2016, of 30 September, on processing procedures for granting Spanish citizenship by residence, therefore only lays out the requirement for an A2 level knowledge of Spanish (DELE, again the practice is understood as referring to Castilian Spanish, not to other Spanish languages), in the terms provided for in the regulation.

**Occitan language. Concealment of the minority language name.**

The denominational issue of the Occitan language deserves a specific mention. As has been pointed out, the Autonomy Statute and Act 35/2010 explicitly recognise the language with its general name ‘Occitan’, which coexists with the name ‘Aranese’ in the territory of Aran itself. It is therefore worth noting that in using the term Aranese, this may mean either ‘Occitan’ as a local name for the general language itself, or it may refer to the locally spoken and written language modality, a regional or dialectal variant of the language.

As the Aranese Academy of the Occitan language, with its main headquarters in Vielha, the action of the new Institut d'Estudis Aranesi (since 2015) in collaborating with institutions from the Aranese region will reinforce the correct identification of the language with all its proper denominations. Furthermore, contacts and cultural exchanges of Occitan expression will be fostered with people, groups, entities and institutions of the Occitan cultural space.

**Paragraph 3.**

*The Parties undertake to promote mutual understanding between all the linguistic groups of the country. In particular, this includes respect, understanding and tolerance in relation to regional or minority languages when it comes to education and training provided within their countries. They also agree to encourage the media to pursue the same objective.*

**Comments from the Committee of Experts:**

7. In education and the media, there needs to be cooperation between the Autonomus Communities in which the same languages or similar languages are spoken.

182. In its third evaluation report, the Committee of Experts urged the Spanish authorities to ensure continued support for the promotion and use of minority languages in accordance with the spirit of the Charter. The Committee of Experts recognised the approval of Organic Law 8/2013 on Education; however, according to the speakers’ representatives, this text could even lead to a reduction in education in regional or minority languages.

183. The Committee of Experts strongly urges the Spanish authorities to maintain ongoing support for the promotion and use of regional and minority languages, in particular those of Part II, taking into account the spirit of the Charter.

184. The Committee of Experts has noted that there is considerable ignorance of regional and minority languages among the Spanish population living in monolingual communities. There is a clear need for the authorities to focus more on the dissemination of language plurality and to foster mutual understanding between all the linguistic communities in the country. It encourages the authorities to take action in this regard and to report on this in the next periodic report.

*The Committee of Experts calls on the Spanish authorities to act decisively to promote the visibility of all regional or minority languages via educational activities and the media.*

In the previous reports we have made reference to campaigns or actions contrary to the promotion of Catalan based on an alleged discrimination favouring Spanish. The Spanish Government's reports for the Committee of Experts do not contain this information, and in the Committee of Experts’ previous report, paragraph 184 speaks of ‘the clear need for the authorities to focus more on the dissemination of language plurality and to promote mutual understanding between all the country's linguistic communities’. There is complete attitude of passivity from justice, state institutions and the Spanish intelligentsia in terms of stopping a generalised stream of ‘Catalanophobia’ on social networks and in numerous media outlets, which has spread to levels that should be of concern to any democrat. The
cases presented in our previous report have continued to repeat themselves. A simple internet search for keywords like ‘Catalanophobia’ results in collections of attacks, threats and insults against Catalans made by Internet users.

**Paragraph 4**

*In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups that use such languages. If necessary, they are encouraged to establish organisation to advise the authorities on all matters pertaining to regional or minority languages.*

**Comments from the Committee of Experts:**

185. In previous monitoring cycles the Committee of Experts has mentioned the importance of taking into consideration the wishes expressed by speakers of languages that are not recognised as official by the Statutes of Autonomy, but are covered by Part II of the Charter. As a result, it asked the authorities to report on this in the next periodic report and applauded the creation of the Council of Co-Official Languages within the AGE and the Office for Official Languages. The Committee of Experts expresses its concern at the small number of meetings and decisions of the aforementioned Office.

186. The Committee of Experts requests the Spanish authorities to include information on the current work programme and related activities of the Office for Official Languages in the next report.

187. The Committee of Experts has not been informed of the existence of any institution or institutions representing speakers’ interests and advising the authorities on languages.

D. The creation of the Council of Official Languages in the General State Administration was a positive step aimed at facilitating coordination between the state ministries and the Autonomous Communities, but in reality, the frequency of meetings and the results generated by this body have been rather scarce.

**Social Council of Catalan Sign Language**

Following the approval of Decree 142/2012 on the creation of the Social Council of Catalan Sign Language, the Council’s inaugural meeting took place in 2013. Its purpose is to offer advice, consultation and social participation in the Government's language policy in relation to Catalan sign language. This body was created in October 2012 as a development of what was established in Act 17/2010, of 3 June, on Catalan Sign Language, approved in 2010. The Council, linked to the Ministry of Culture's Directorate-General for Language Policy, has the following functions:

- Studying and analysing issues related to the promotion and dissemination of Catalan sign language
- Advising the Government on the means to meet the objectives set by the Catalan Sign Language Law
- Evaluating the objectives and results of the actions promoted by the Generalitat related to this language

During the 2014-2016 period, regular meetings have been held to fulfil this mandate.

**The regional language commissions are: Girona, Tarragona, Lleida and Terres de l'Ebre, 2016**

The regional services of Culture promote the Government's language policy in the respective regions. In some of these territories there are participatory institutes that ensure a cross-sectional application of language policies, while giving voice to citizens and civil society. We currently have regional language commissions for Girona, Tarragona, Lleida and Terres de l'Ebre. This last one was created on 27 October 2016 as a space for cooperation in favour of the knowledge and use of the Catalan language in this southern area of Catalonia.

**Actions of the Sindic de Greuges institution**

The Sindic de Greuges institution is, like all those that derive from the Ombudsman, an institution that generally guarantees rights, and therefore it does the same with language rights. This institution has a special sensitivity for these rights, and in this regard the Sindic de Greuges presented a Report on Language Rights in Catalonia in September 2014, which includes the language issues addressed by this institution between 2008 and 2013. Previously, in March 2014, the Born Cultural Centre of
Barcelona hosted the International Symposium on Language Rights and Social Cohesion in Multilingual Societies, organised by the Síndic in conjunction with the International Association of Language Commissioners. A member of the Council of Europe's Committee of Experts participated in these activities.

**Occitan in Aran**

Finally, in relation to news affecting the Occitan language, we should emphasise the creation of the Institut d'Estudis Aranesi, which is recognised as an academy and language authority in Occitan (Decree 12/2014, of 21 January). This provision is discussed in more detail in Part I.

*Paragraph 5.*

*The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures needed for this Charter's application shall be determined in a flexible manner, bearing in mind the needs and wishes of the groups that use the languages concerned, and respecting their traditions and characteristics.*

As a continuation of the actions commented on in our previous report regarding the Romani people, we should mention the 2014-2016 Comprehensive Strategy for Romani People in Catalonia, which can be consulted at <http://treballiaferssocials.gencat.cat/web/content/03ambits_tematics/18_accio_comunitaria_i_voluntariat/01_accio_comunitaria/04_pla_integral_poble_gitano/pipg2014.pdf>. The plan seeks to promote the learning of the Roma language, among many other activities.
PART III. Information by domains and articles of the Charter

Article 8. Education

This part will focus on the comments for the following article of the Charter:

Paragraph 1.
With regard to education, within the territory in which such languages are used and according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State, the Parties undertake:

a.  
i. To make pre-school education available in the relevant regional or minority languages; or
   ii. To make a substantial part of pre-school education available in the relevant regional or minority languages; or
   iii. To apply one of the measures provided for under i and ii above at least to those pupils whose families request it, provided there is a sufficient number of them; or
   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;

b.  
i. To make primary education available in the relevant regional or minority languages; or
   ii. To make a substantial part of primary education available in the relevant regional or minority languages; or
   iii. Within primary education, to teach relevant regional or minority languages as an integral part of the curriculum; or
   iv. To apply one of the measures provided for under i and ii above at least to those pupils whose families request it, provided there is a sufficient number of them;

c.  
i. To make secondary education available in the relevant regional or minority languages; or
   ii. To make a substantial part of secondary education available in the relevant regional or minority languages; or
   iii. Within secondary education, to teach relevant regional or minority languages as an integral part of the curriculum; or
   iv. To apply one of the measures provided for under i and ii above at least to those pupils who request it, or whose families request it, provided there is a sufficient number of them;

d.  
i. To make technical and vocational education available in the relevant regional or minority languages; or
   ii. To make a substantial part of technical and vocational education available in the relevant regional or minority languages; or
   iii. Within technical and vocational education, to teach the relevant regional or minority languages as an integral part of the curriculum; or
   iv. To apply one of the measures provided for under i and ii above at least to those pupils who request it, or whose families request it, provided there is a sufficient number of them;

e.  
i. To make university and other higher education available in regional or minority languages; or
   ii. To provide facilities for the study of these languages as university and higher education subjects; or
   iii. If, by reason of the role of the State in relation to higher education institutions, subparagraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages, or of facilities for the study of these languages as university or higher education subjects;
f. i. To arrange for the provision of adult and further education courses that are taught mainly or wholly in the regional or minority languages; or ii. To offer such languages as subjects of adult and further education; or iii. If the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and further education;

g. To make arrangements to ensure the teaching of the history and the culture reflected by the regional or minority language;

h. To provide the basic and further training of teachers required to implement the paragraphs from a) to g) that the Party accepts;

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 regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

Paragraph 2.
With regard to education and in terms of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education, if the number of users of a regional or minority language justifies it.

Teaching Catalan language

Article 8 – EDUCATION

Paragraph 1.
With regard to education, within the territory in which such languages are used and according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State, the Parties undertake:

a. i. To make pre-school education available in the relevant regional or minority languages; or ii. To make a substantial part of pre-school education available in the relevant regional or minority languages; or

From the Committee of Experts’ report on Aranese Occitan:

748. In the third evaluation report, the Committee of Experts considered that this commitment had been fulfilled. However, it called on the Spanish authorities to provide more detailed information and data on pre-school education in Aranese.

749. According to the fourth periodic report, Decree 101/2010, governing the teaching of the first cycle of early childhood education, establishes Catalan as the common language of teaching and learning. The decree itself establishes that all references to Catalan are extended to Aranese for educational centres in Aran. However, knowledge of Aranese is just considered an additional merit for employees of the three preschools, and is not mandatory. Consequently, Aranese is not systematically available as a pre-school language.

750. The Committee of Experts is not in a position to draw a conclusion on the current availability of Aranese as a pre-school language. It encourages the Spanish authorities to provide the necessary information in the next periodic report.

In the 2015-2016 academic year, the population enrolled at regulated public and private teaching centres in Catalonia was 1,305,825 students.
With some exceptions (schools with a foreign educational model, international centres, etc.), the regulated linguistic model in Catalonia is one that establishes the system of 'linguistic conjunction', which has received international recognition and which guarantees students complete mastery of Catalan and Spanish when they finish their studies. This is the premise and purpose of the system: complete knowledge of Catalan and Spanish.

In Catalonia, there are 4,907 educational centres: 3,443 public centres and 1,464 private centres. There are also 21 schools that follow foreign educational systems: 2 German, 7 British, 3 American, 5 French, 2 Italian, 1 Japanese and 1 Swiss. It should be noted that the centres, teachers and students enrolled in these systems are not counted as part of the Catalan educational system's centres, teachers and students.

Students of foreign origin who need language support in Catalan (in Spanish to a lesser extent, because a large part of the students come from Spanish-speaking countries) is still on a downward trend, as shown in the graph below.

![Students of foreign origin (2009-2016)](image)

Source: Department of Education of the Generalitat.

The policy of welcoming immigrant students described in the previous report is maintained so that all students have sufficient language knowledge to be properly integrated.

107 environmental education plans have been managed, spread over 82 municipalities and 1,005 educational centres, with 341,858 students (214,313 in primary education and 127,545 in compulsory secondary education and baccalaureate).

850 activities have been organised to promote the social use of Catalan, with activities related to popular culture, reading, welcoming newcomers and supporting school work, among others.

Assisted study workshops have been organised for 7,269 students (4,194 primary school pupils and 3,075 secondary school pupils) from disadvantaged socio-cultural backgrounds outside school hours in order to promote equal opportunities.

The aim of all of the Generalitat's actions in this regard has been to ensure that all students, regardless of their origin, have full competence in Catalan, Spanish and, in Val d’Aran, Aranese, along with a strong ability in foreign languages. The specific data related to primary, secondary and university studies is presented below.
b. i) To make primary education available in the relevant regional or minority languages; or

It should be noted that since 2008, Year 6 students must take the external skills assessment test, which divides the results of communicative language skills into four levels: high (very good command), medium-high (good command), medium-low (sufficient command) and low (command not reached).

In 2015, 70,560 students participated in this final test, i.e., 94.5% of all students enrolled.

The results are similar in the four languages evaluated. More than half of the students have a medium-high or high level - about 25% have high and around 35% medium-high - approximately 20% have a medium-low level and the remaining 15% have a low level. In order, the best results were recorded in Spanish (63.5%), followed by Catalan (61.8%), English (61.2%) and French (58.8%).

Knowledge of Catalan in primary school yields positive data, as shown in the graph below, which provides a linear view of the data (2012-2016). In Catalan, Spanish and English they demonstrate a progressive fashion.

Evolution of the overall average score in all skills evaluated. 2012 – 2016

Source: Government of Catalonia Department of Education.
The results of Catalan and Spanish language show that the average scores of students in both Catalan and Spanish are similar, statistically speaking. Last year, the overall score in linguistic competence in Catalan was 74.5 (out of 100); and Spanish was 74.1. These tests are further proof that the Catalan educational model, called 'linguistic conjunction' (or 'immersion' in some fields), guarantees knowledge of both Catalan and Spanish, and has a final objective of students in Catalonia finishing their compulsory schooling with the same abilities in both languages. The results for this last period prove this, as do those of previous years.

Since the 2008-2009 academic year, the Department of Education has promoted a yearly external evaluation of all primary education students in Year 6, assessing their level of acquisition of the basic language and mathematical skills that students should have at the end of this educational period. It provides information to schools and families on the strengths and areas that students could improve in, and helps the transition towards compulsory secondary education. In addition, it provides information to the Education Administration on the situation of the system as a whole. The results of the test are a guide for the student, since they are not decisive in the step to compulsory secondary education. The analysis of the data provided by these evaluations allows us to draw several conclusions about the command of Catalan and Spanish of students in Catalonia.

The test proves once again that knowledge of Catalan and Spanish is similar, and that the Catalan model of linguistic conjunction or immersion does not reduce knowledge of Spanish, as demonstrated in the graph below.

![Bar graph showing scores of Catalan and Spanish languages from 2009 to 2016](image)

**Teaching Occitan**

The new Catalan Act 1/2015, on the special regime of Aran, incorporates precepts in relation to the teaching and educational centres located in Aran. It takes into account the language specificity of the region and its protection. Unlike the previous Special Regime Law of 1990, which provided for the assignment of competences in educational matters and was never quite finalised, the new legal text defines the Catalan and Aranese government administrations' areas of competence so that the Consell Generau d’Aran has complementary functions.

There is a clarification of skills that is coupled with an explicit safeguard related to Aranese cultural and linguistic aspects. Thus, Article 55 of Catalan Act 1/2015 recognises Aran as a specific educational area within the educational system in Catalonia, in order to facilitate collaboration and participation of the Aranese administration in education.

In this regard, it is worth mentioning article 55.3 of Act 1/2015, which stipulates that the Consell Generau d’Aran must ensure linguistic curricula in the Aranese variety of Occitan in Aranese
educational centres. On the other hand, the Conselh Generau retains competence in the provision of services related to education, such as, among others, the creation and production of textbooks, didactic materials and conversation aids in the Aranese variety of Occitan, and also provides ongoing training to teachers in Aranese language and culture.

In accordance with this new legal framework, in 2017 the Department of Education and the Conselh Generau d’Aran began a process to review didactic materials and curricular content aimed at the centres located in the region in a coordinated way, so as to update and adapt them to the current language regulations concerning the Occitan language for the stages of primary education. 

\textit{c.) i) To make secondary education available in the relevant regional or minority languages;}

\begin{table}[h]
\caption{From the Committee of Experts' report on Occitan:}
\begin{tabular}{|p{0.9\textwidth}|}
\hline
751. In the third evaluation report, the Committee of Experts considered that this commitment had not been fulfilled. 
752. According to the fourth periodic report, proficiency in Aranese is a requirement for secondary school teachers. Some teachers use Aranese in both oral and written communications, although this is largely symbolic, since most principals and teachers do not use it. The working language is usually Catalan or Spanish. In high school (16-18 years), the presence and use of Aranese as a working or teaching language is scarce and infrequent. However, this offer does not correspond to the high degree of commitment accepted by Spain under Article 8.1.c. 
753. The Committee of Experts considers this commitment to be incomplete. It encourages the Spanish authorities to provide secondary education in Aranese. 
\hline
\end{tabular}
\end{table}

\textbf{Catalan in secondary education}

As mentioned in the previous section, the data on secondary education shows similar results, with a high level of Catalan knowledge and also Spanish knowledge.
The graph shows a progressive evolution of Catalan knowledge, going from 72.8 points in 2012 to 76.9 in 2016. The same upward trend appears for Spanish, which goes from 73.9 in 2012 to 76.5 in 2016. Therefore, secondary education reinforces the previous stage of primary teaching, with a similar knowledge in both Catalan and Spanish.

As a complement, it is important to reiterate that the Catalan educational model still finds more empirical arguments in which Catalan students have an average of basic competences in Spanish comparable to those of the rest of Spain, where many regions are monolingual.

This is indicated by an evaluation made by the Ministry of Education and Science (General Diagnosis Assessment). When comparing skills such as reading comprehension, which goes beyond the purely linguistic dimension and is highly indicative of academic performance in all subjects, the results show that the average of students in Catalonia is above that of Spain and the OECD. These are the 2009 PISA results (National Education System Evaluation Council 2010 Results of students in Catalonia. Evaluation of compulsory secondary education PISA 2009).

All this information on assessment can be consulted on the Ministry's website http://www.mecd.gob.es/inee/publicaciones/evaluacion-diagnostico.html (last consulted on 2 June 2017).
In light of the data repeated in each report, it is important to emphasise that the positions of those who believe that the Catalan educational model limits knowledge of Spanish or students' academic performance are not justified (Strubell, M., Andreu, Ll, Sintes, E., coord. 2011. *Results of the Catalan language school model. The empirical evidence*. Barcelona: UOC).

The **Official Survey of Language Use** in Catalonia is held every five years. The latest data available is from 2013. The Generalitat wants to collaborate with the governments of the Balearic Islands, Aragon and Valencia to undertake the census of Catalan speakers. Collaboration agreements were also established with the city of L'Algúer (Alghero), the University of Perpignan and the Government of Andorra to coordinate a common methodology to promote different sociolinguistic surveys in the Catalan-speaking territories during 2014 and 2015. For more information, see the section on cooperation between regions with the same language.

**Occitan Aranese in secondary education**

The same process discussed in the previous section, starting with curricular materials and content for primary schools in Aran, is expected to be extended to secondary schools in all matters related to Aranese language and culture.

There have been no substantial changes in the situation of secondary education in Val d’Aran regarding the use of Aranese in the period covered by this report.

In short, knowledge of Aranese by teaching staff is essential to work in a centre located in Val d’Aran. In compulsory secondary education (12-16 years) two hours of Aranese teaching are taught.

Beyond Aranese territory, the Department of Education is promoting the offer of a variable credit as an elective subject for high school students (16-18 years old) in the specialties of the Humanities baccalaureate and the Languages, via the IOC online education system (Institut Obert de Catalunya - IOC). The curricular design and content of the Introduction to Occitan language and Culture subject was completed in 2013. In the 2014-2015 academic year the subject of Occitan language was incorporated into the IOC’s educational offer. This action is framed within the provisions of Act 35/2010, on Occitan (article 16.3).

**d. i) To make technical and vocational education available in the relevant regional or minority languages;**

<table>
<thead>
<tr>
<th>From the Committee of Experts’ report on Aranese Occitan:</th>
</tr>
</thead>
<tbody>
<tr>
<td>754. In the third evaluation report, the Committee of Experts considered that this commitment had not been fulfilled.</td>
</tr>
<tr>
<td>755. Information on this commitment was not provided to the Committee of Experts in the fourth periodic report.</td>
</tr>
<tr>
<td>756. The Committee of Experts maintains that this commitment is not being fulfilled. It encourages the Spanish authorities to provide technical and vocational education in Aranese.</td>
</tr>
</tbody>
</table>

**e. i) To make university and other higher education available in regional or minority languages; or**

<table>
<thead>
<tr>
<th>From the Committee of Experts’ report on Aranese Occitan:</th>
</tr>
</thead>
<tbody>
<tr>
<td>757. In the third evaluation report, the Committee of Experts considered that this commitment had been fulfilled.</td>
</tr>
<tr>
<td>758. According to the information provided in the fourth periodic report, the Catalan Summer University offers an introductory course in Occitan language and literature each August. In addition, since the 2008-2009 academic year, the University of Lleida has offered a qualification in Catalan and Occitan</td>
</tr>
</tbody>
</table>
studies that is valid for obtaining a university degree in Catalan and Occitan languages. In 2013, 30 of the students enrolled in that degree opted for the Occitan language and literature specialism. 759. The Committee of Experts considers that the commitment continues to be met.

The Catalan language in higher education

Article 35 of the EAC regulates language rights in the field of university education, and Article 50, which focuses on the promotion and dissemination of Catalan, specifies in section 2 that the Government, universities and higher education institutions, within the scope of their respective competences, shall take appropriate measures to ensure their use in all areas of teaching, non-teaching and research activities. The regulatory language framework applicable to university education is found mainly in article 22 of the Law on Language Policy.

Likewise, the Law on Universities in Catalonia devotes article 6 to the language, specifying that Catalan is the language of universities in Catalonia and, therefore, the language of normal use in its activities. Decree 128/2010, of 14 December, on accreditation of language knowledge among faculty staff at universities in the Catalan university system, regulates the levels of communicative skills that university teachers must have when teaching. This fact guarantees the language rights of all classroom participants, while respecting the language choice of either - teacher or student - while ensuring communicative interaction. Finally, article 211 of Act 2/2014, of 27 January, on fiscal, administrative, financial and public sector measures, regulates accreditation of knowledge of a third language, and specifies that students who begin their undergraduate studies at a Catalan university in the 2014-2015 academic year onwards must prove, at the end of their studies, knowledge of a foreign language included in the university entrance exams (PAU), with a level equivalent to B2 of the Council of Europe's Common European Framework of Reference for Languages (CEFR).

The Generalitat has continued to promote activities aimed at guaranteeing the presence of Catalan in the university community of Catalonia and promoting its use among teachers, students and administration and services staff during the 2012-2016 period. It also encourages actions to increase knowledge and teaching in third languages, preferably English. It is the responsibility of the Secretariat of Universities and Research, through the Office of Language Policy, to implement this type of actions to foster and promote Catalan and third languages in the area of universities, in accordance with the European framework of higher education and new university language policies, derived from the internationalisation of Catalan universities and the resulting management of the multilingualism present in the university community.

Various projects are presented below that are intended promote the Catalan language, as well as other languages, within the university sphere.

Interlingua project
The aim of the Generalitat's INTERLINGUA project is to provide aid to Catalan universities to guarantee the presence and use of Catalan in the country's universities, given its nature as a regional language. At the same time, it aims to boost the presence and use of third languages - preferably English - in an increasingly globalised academic context. It consists of two types of aid:

1. Type A: support for actions to promote and use Catalan and third languages in the area of universities.

2. Type B: aid to maintain and update Catalan and third language self-learning spaces for teachers, administrative and service staff, and students.

The progress of the last three editions has been as follows:
Similarly, at the request of the Directorate-General for Language Policy in 2016, the Interlingua project for the 2017 financial year includes a new section for projects related to Occitan. (Resolution EMC/352/2017, of 22 February, approving the regulatory conditions, Official Journal 7318, of 28 February).

Among the most notable subsidised actions we should highlight:

a) The conversion of the Universities of Catalonia Certificate of Languages (closed) from a multi-level examination to a B2 single-level examination. The closed exam permits accreditation of B2 levels of English, French, German and Italian. In 2016 there were two examinations of the closed B2 exam in English (June and November).

b) The creation and development of linguistic support resources and the organisation of activities to facilitate the university community's independence in acquiring and improving communicative skills: automatic translators, style guides, linguistic and terminological query managers, correction programmes, virtual language training spaces, massive online and open courses, etc., both in terms of Catalan and third languages. In 2016 we can highlight the collation of linguistic recommendations for social networks, updating university administrative documents in Catalan, the creation of specialist materials with methodologies of intercomprehension or the materials contained within 'Conversem?: Activitats de suport de l'aprenentatge inicial fora de classe' (Shall we talk?: Support activities for learning basic Catalan outside the classroom).

c) The implementation of several activation projects aimed at the sociolinguistic and cultural reception of students and international teachers in a multilingual and intercultural context: intercomprehension and intercultural workshops, tutorials and linguistic exchanges; inter-university programmes for international and Spanish students, both incoming and outgoing; online resources to promote linguistic sustainability; language training courses; cultural inter-university visits, etc.

d) The virtual Catalan-language courses via the Parla.cat portal (general language courses), aimed at students from programmes at other universities, and via the Aula Maestra (specific courses adapted to the needs of the target audience).
Comprehensive management of the INTERCAT multilingual platform

INTERCAT is a set of digital resources to be introduced into Catalan language and culture, designed mainly for Spanish students who visit Catalan universities. Throughout 2016, INTERCAT reached a total of 152,708 user connections, an increase of 5.2% from 2015. The number of pages visited was 397,641, and the average number of pages visited per connection was 2.87. During 2016 the Speakcat basic Catalan course, integrated into the platform, was updated and improved. A usability analysis of INTERCAT was also completed and, based on the results, a new web design is being to highlight the most consulted sections and topics, and also to adapt it to mobile devices.

![Progress in INTERCAT connections between 2014 and 2016](image)

Development and management of language agreements with universities

On 13 October 2016, a new agreement was signed between the Administration of the Generalitat, via the Department of Business and Knowledge and the Ministry of Culture, and the universities that form part of the Inter-university Commission for Training and Language Accreditation in Catalonia (CIFALC). The purpose of the agreement is to promote and guarantee training and accreditation in languages at universities. As in previous editions, it aims to facilitate inter-university work in the area of training, assessment and accreditation in languages. The actions taken are based on the parameters of the Common European Framework of Reference for Languages (CEFR), and are aimed at unifying training programmes in the various languages, to produce consistent tests to obtain certificates of language knowledge, to train teachers, examiners and evaluators, and to determine the remuneration of each activity’s tasks.

As a result of this agreement, during the 2015-16 academic year 5,921 students took Catalan courses, 1,295 of whom took tests offered by the CIFALC and 1,043 passing said test. Of the total number of people taking Catalan language courses, 4,329 were non-locals, understood as the rest of Spain and international students, and from these, 425 took the CIFALC exams and 376 qualified. In conclusion, 73.1% of students who have taken a Catalan course - whether it is a general language course or a 'survival kit' - come from outside Catalonia, a significant increase from the 52.3% of 2010-11.

In the graph below you can see all these figures concisely

![Number of students who have taken courses and tests in Catalan for the 2015-2016 academic year](image)
Updating of the University Conversation Guides mobile application

The University Conversation Guides (GCU) are an interactive application for mobile phones. Through elementary vocabulary, the app aims to help foreign university students undertake their initial communication with Catalan universities and, at the same time, facilitate the initial contacts of Catalan students who go to foreign universities.

During the second quarter of 2016m versions 2.0.1 for iOS and 2.0.0 for Android were released, presenting a new app design that improved usability. Over the course of 2016, there were 15,041 downloads, an increase of 10.06% from 2015, and the tool was used in 33,266 sessions. The rating of the app in the iOS store is 4.5/5 and on Android 5/5.

Language use in university studies

The data referring to language uses in university degrees and master's courses was acquired by extrapolating the university subjects whose teaching language was known, which exceeds 95% at all public universities.

As for language use in undergraduate studies, by analysing the variation of the last three years in relative terms, it can be observed that Catalan has remained constant with slight oscillations at around 75%: from 76.5% in 2013-14 to 74.5% in 2014-15, and 75.7% in 2015-16. There has been a slight growth of third languages, mainly English, which has gone from 9.1% in the 2013-14 academic year to 9.7% in the 2015-16 academic year, given the growing internationalisation process of Catalan universities. Finally, the use of Spanish has remained steady at around 15% (14.6% in the 2015-16 academic year).

### Language use on Master's courses, 2013-2016

[Graph showing language use on Master's courses, 2013-2016]

We therefore conclude that the internationalisation of the Catalan university system is perfectly compatible with the presence and ongoing use of Catalan as a relevant language in our universities’ degrees.

In terms of language use in master's studies, where the impact of internationalisation is higher due to the number of foreign students (about 33%), the involvement of foreign faculty staff and the length of these studies (which is generally one year), the use of third languages - basically English - is much higher than in undergraduate studies, and tends to be about 20%: the 2015-16 academic year recorded 19.9%.
Language use in UNDERGRADUATE degrees, 2013-2016

During this period, the use of Catalan in Master's degrees was around 55%: 56.8% in the 2013-14 academic year, 54.6% in 2014-15 and 55.7% in 2015-16. As for the use of Spanish, it hovers around 25%: 26.2% in the 2013-14 academic year, 26.0% in 2014-15 and 24.4% in 2015-16. This data is presented graphically below, both in terms of degrees and Master's.

Data relevant to language presence in Master's studies

Occitan Language in Higher Education
From the 2009-2010 academic year onwards, the University of Lleida has offered a degree in Catalan and Occitan Studies, being the only university in Catalonia and Spain where a specific higher education degree in the Occitan language and culture is provided. At the moment, there are about 30 students who attending Occitan Language and Literature course.

The Autonomous University of Barcelona has a unit called the Occitan Archive, which organises a yearly cycle of 16 lectures during the month of May on topics of Occitan language and literature.

The Catalan Summer University (Universitat Catalana d’Estiu, in Catalan), which takes place during a week of August in Prada de Conflent (Northern Catalonia), has included an Introduction to Occitan language and literature course since 2010. Since 2015 it has also included a session of the Mèstra de Cinèma Occitan, organised annually by the Directorate-General for Language Policy, which will be discussed in article 12 on cultural activities and facilities.

1. i. To arrange for the provision of adult and further education courses that are taught mainly or wholly in the regional or minority languages;

From the Committee of Experts’ report on Aranese Occitan:

760. In the third evaluation report, the Committee of Experts reminded the authorities of the highest level of commitment under point f), indicating that they had not provided specific information regarding this commitment. The Committee of Experts therefore understood that it could not formulate a conclusion on this commitment, and encouraged the Spanish authorities to report on the practical application thereof in the next periodic report.

764. At present the Committee of Experts considers this commitment to be partially fulfilled and encourages the authorities to take the necessary measures to provide adult or lifelong education courses primarily or wholly in Aranese, and not only in the teaching of Aranese itself.
Apart from the data from the training provided by the Consortium for Language Standardisation, the Generalitat also offers training specifically designed for adults.

In 2014-2015, 7,555 people took Catalan language courses in official adult training centres. 733 people took Catalan courses for non-Catalan speakers in the official language schools, from the basic level to the highest C2 level.

As for the figures for 2016, the data is as follows:

The 2015/2016 course saw 6,732 students enrolled in Catalan language at adult education centres.

Regarding adult education in the Official Language Schools, the data is as follows:

2015-2016 academic year: 704 people enrolled
2016-2017 academic year: 680 people enrolled

Occitan language

The teaching of the Aranese variant or type of Occitan is a competence of the Conselh Generau d’Aran, which it undertakes with the economic support of the Catalan Government. The annual provision of Aranese courses is still spread across 5 levels (A1, A2, B1, B2 and C1) in Val d’Aran, Barcelona and Lleida. However, during the period covered by this report, there has been a significant decrease in the number of students enrolled in courses offered in Barcelona and Lleida, representing a drop of more than 50%. As an illustration, in Barcelona alone the number has gone from about 50 students in 2012 to 15 in the 2016-2017 academic year.

With Occitan courses for adults, as taught by the Cercle d’Agermanament Occitano Català (CAOC), the number of students in Barcelona continues to grow annually, especially in 2016-17 with the new C1 level course, the organisation of which has been subsidised by the Directorate-General for Language Policy.

g. To make arrangements to ensure the teaching of the history and the culture reflected by the regional or minority language;

Occitan language

As a complement to the production of textbooks and other teaching materials for Aranese educational centres, in 2015 the Conselh Generau d’Aran started publishing a collection of illustrated stories in Aranese with the title Petit país.

The main objective of the collection is to promote the use of Aran’s own language and culture amongst children, and to stimulate the habit of reading in Aranese. The stories have themes such as traditional Aranese holidays or aspects of daily life. There are currently 8 titles available, most of which were published in 2016. The collection was completed in 2017 with the addition of two new titles Era Hèsta de Magràs and Era Legenda de Sant Jòrdi.

h. To provide the basic and further training of teachers required to implement the paragraphs a) to g) that the Party accepts;

From the Committee of Experts’ report:

765. In the third evaluation report, the Committee of Experts was not in a position to draw a conclusion on this commitment and requested the Spanish authorities to explain the practical application (sufficient number of teachers, on-going training) thereof in the following periodic report.

766. According to the fourth periodic report, the General Council of Aran organises on-going training programmes in Aranese for teachers who start their job without meeting the language requirements. The Committee of Experts reminds the authorities of their obligation to ensure that the degree of knowledge of Aranese meets the commitments ratified by Spain under Article 8.

767. The Committee of Experts is not in a position to comment on this commitment and invites the authorities to provide information on basic and on-going teacher training in the next periodic report.
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 regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

From the Committee of Experts’ report on Aranese Occitan:

768. In the third evaluation report, the Committee of Experts concluded that the undertaking was partially fulfilled and requested the Spanish authorities to provide specific information on the monitoring reports in the next periodic report.

769. According to the fourth periodic report, despite the fact that educational inspection is responsible for supervising the teaching of Aranese, no reports have been produced.

770. The Committee of Experts considers that the commitment continues to show partial compliance and encourages the authorities to ensure that educational inspection, which monitors the measures taken and progress made in the establishment or development of Aranese-language education, continues to create periodic reports and to make them public.

Occitan language

As for Aranese and Occitan in general, the Directorate-General for Language Policy produces an annual report containing the main sociolinguistic data and actions carried out in the previous year. The Language Policy Report, prepared in accordance with article 39 of Act 1/1998 on Language Policy, has incorporated a specific section dedicated to the Occitan language since 2012. This report is sent to the Catalan Parliament’s Culture Committee to be evaluated and analysed. See, for example, the 2015 report (page 107 et seq.) at: ‘http://llengua.gencat.cat/web/.content/documents/informepl/arxius/IPL-2015.pdf’

In addition, the joint coordination commission between the Generalitat and the Aranese government (Aranese Occitan Language Policy Council - COPLOA) was established in 2012 and meets each year, alternating between Barcelona and Vielha. Both administrations exchange information on the various initiatives taken and provisions to promote and protect the Occitan language. Some examples reported and agreed upon within this Council are the modifications and innovations in regulations such as those noted in this report on tax breaks, or the efforts of Decree 12/2014 to create the Occitan language language authority in Catalonia.

Paragraph 2.

With regard to education and in terms of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education, if the number of users of a regional or minority language justifies it.

From the report of the Committee of Experts on the Occitan Language:

771. In the third evaluation report, the Committee of Experts considered that this commitment had been fulfilled. However, it requested the Spanish authorities to report on possible developments concerning other forms of teaching Aranese outside the Aran Valley in the next periodic report.

772. According to the fourth periodic report, the Catalan Government is working to offer an optional module in secondary education centres on Occitan language and literature.

This section has been dealt with, in part, in the section relevant to Article 7 on the Institut Ramon Llull. Below we mention the teaching of Catalan outside of Catalonia.

Catalan communities abroad. Catalan language courses

Catalan communities abroad, officially recognised and formed of Catalans and Catalanophiles from around the world, have carried out 131 Catalan language courses and workshops with the support of the Government for 54 organisations, which have had a total of 2,264 students. Below is a map of the sites where Catalan is currently offered (data for 2016).
Below is the data from the countries where Catalan can currently be learnt via these centres (2016)

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of organisations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>4</td>
</tr>
<tr>
<td>Argentina</td>
<td>14</td>
</tr>
<tr>
<td>Australia</td>
<td>2</td>
</tr>
<tr>
<td>Austria</td>
<td>1</td>
</tr>
<tr>
<td>Belgium</td>
<td>1</td>
</tr>
<tr>
<td>Brazil</td>
<td>2</td>
</tr>
<tr>
<td>Canada</td>
<td>1</td>
</tr>
<tr>
<td>Colombia</td>
<td>1</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>1</td>
</tr>
<tr>
<td>Cuba</td>
<td>1</td>
</tr>
<tr>
<td>Ecuador</td>
<td>2</td>
</tr>
<tr>
<td>Spain</td>
<td>6</td>
</tr>
<tr>
<td>France</td>
<td>6</td>
</tr>
<tr>
<td>Italy</td>
<td>1</td>
</tr>
<tr>
<td>Japan</td>
<td>1</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>1</td>
</tr>
<tr>
<td>Mexico</td>
<td>2</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1</td>
</tr>
<tr>
<td>Paraguay</td>
<td>1</td>
</tr>
<tr>
<td>Sweden</td>
<td>1</td>
</tr>
<tr>
<td>Switzerland</td>
<td>2</td>
</tr>
<tr>
<td>Uruguay</td>
<td>1</td>
</tr>
<tr>
<td>Chile</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>54</strong></td>
</tr>
</tbody>
</table>
Teacher training
From the 15 to 17 April 2016, the first training meeting for teachers of Catalan in the Catalan communities in Europe was held at the Catalan Centre in Luxembourg, taught by experts in didactics from the Directorate-General for Language Policy, in collaboration with the Ministry of Foreign Affairs and the European Union.

Occitan language
Outside the Aran region, the courses of Aranese Occitan for adults are held at the University of Lleida, as well as training relevant to Aranese within the Occitan and Catalan studies degree offered by the same university.

In Barcelona, we should again point out the Aranese courses organised by the Consell Generau d’Aran. These are taught in the offices of the Directorate-General for Language Policy.

We also find general Occitan courses taught at the CAOC (Cercle d’Agermanament Occitano Català) in Barcelona. These are courses on traditional Occitan that include references to the Aranese variant.

Finally, we must re-emphasise the offer of two introductory courses, one on Occitan language and another on Occitan literature, taught each year at the Catalan Summer University. This summer university is held every August in Prada de Conflent (Northern Catalonia - in France). These introductory courses are funded by the Directorate-General for Language Policy.

From the Committee of Experts’ report:

6. Fearing that the system will be detrimental to regional and minority languages, speakers of some minority languages are wary of Organic Law 8/2013, which reinforces the teaching of Castilian Spanish throughout Spain. A model of trilingual education has been introduced in various Autonomous Communities. Their obligatory nature is considered an extra difficulty in these Communities. It is a model that affects the Balearic Islands, Galicia and Valencia especially. Caution must be exercised so that implementing this model does not adversely affect the educational provision in regional and minority languages, not forgetting its support structures.

From the conclusions of the Committee of Experts’ report:

H. In the area of education, a number of Autonomous Communities with co-official languages have introduced or are in the process of introducing trilingual education. The provision of this model should not adversely affect education in regional or minority languages, including their promotion and support structures. The obligatory nature of this model was not very well received in some Autonomous Communities. In addition, reports are lacking for many languages in their assessment of the measures taken and progress made in teaching in regional or minority languages.

I. Organic Law 8/2013 reinforces the teaching of Castilian Spanish throughout the country. According to the information provided, there is a fear that this reinforcement will occur at the expense of regional or minority languages.

190. The Committee of Experts was informed that Organic Law 8/2013 provides for a greater presence of education in Castilian Spanish throughout Spain. The Committee is concerned that this may adversely affect education in regional or minority languages.

In 2014, the State Organic Law for the Improvement of Educational Quality (LOMCE) was published, as noted in the previous report. The application thereof, along with the judicial decisions that have affected this matter, undermines the linguistic foundation that the Catalan educational system is based on. This regulatory blockage creates enormous conflict that also has an effect on both Catalan and Spanish parliaments. Royal Decree 126/2014 sets the basic curriculum of primary education. This regulations lays out the curricular aspects provided for in article 6 of the LOMCE, where the issue of language basically involves excluding Catalan from the so-called 'core subjects', considering it a 'subject set by the Autonomous Community'. This means that the learning thereof can be exempted by the autonomous communities where it is an official language. It also involves an increase in the State Government's intervention in defining contents, learning standards and evaluation criteria, used extensively to detail the necessary teaching and learning of Spanish and to ensure the teaching of
'common aspects' of Spanish history (Appendix I of the regulation). It also involves promoting the teaching of foreign languages, with the explicit provision that the governments can use it to partially teach curriculum subjects (trilingual models), but always guaranteeing the learning of terminology in Spanish (Article 13). For its part, the basic curriculum of compulsory secondary and baccalaureate education was approved by Royal Decree 1105/2014, of 26 December, which applies the same criteria to the curriculum set-up. Although in principle Catalan and Spanish are equally weighted in the final secondary examinations, it specifies that only a fail in Spanish and mathematics impedes taking these exams (article 21) or progressing from one year group to the next (Article 22). Through these channels and others, state regulations impose a higher legal and academic consideration of Castilian Spanish over other official languages within their own territory.

In any case, the LOMCE application that has caused the greatest stir is the recognition of parents' rights for their children to receive a 'reasonable' share of non-linguistic subjects in Castilian Spanish. The regulation that sets out this provision is Royal Decree 591/2014, of 11 July, regulating the administrative procedures related to recognising the compensation of schooling costs established in section 4 of additional provision 38 of Organic Law 2/2006, of 3 May, on education. Specifically, the preamble states that 'if the annual programme of the competent educational administration does not guarantee a reasonable educational offer supported by public funds in which Spanish is used as a vehicular language, upon verifying this situation, the Ministry of Education, Culture and Sport must assume the real costs of educating these students in private centres in full, at the expense of the corresponding Educational Administration. These private centres must meet the conditions and procedures specified.' That is to say, the State directly intervenes by paying for education in a private school that teaches in Spanish (up to 6000 euros per student per year) and then holds back the amount when transferring funding to the Autonomous Community; obviously a measure designed for Catalonia. It is important to make this point, since Minister Wert specified that the rule would apply only in the case of families requesting to study in Castilian Spanish but never in other cases, such as families who could not access education in Catalán in Valencia. The way in which this part of the law was specified over the course of 2014. As approved by the Council of Ministers in June, families should be the ones to provide the payment in advance for private centres. Once the application is approved by the Ministry, it would deduct the amount from the transfers made by the State to the Generalitat. This point of the LOMCE was also censored by the Council of State, an advisory body of the Spanish Government, which urged the Minister to reconsider it, since, in their view, the cost of the measure was not correctly calculated, and nor were its potential knock-on effects (Ruling 6/2014 of 20 March 2014). This controversial legislation has also logically been argued over in both the Spanish and Catalan Parliament. This is a linguistic citation against the powers of the Generalitat. The latter, which had already contested the provision of this mechanism in the 38th supplementary provision of the LOMCE, also challenged Royal Decree 591/2014 before the Constitutional Court (Ruling 21/2014, of 30 September, on the Catalan Council of Statutory Guarantees). However, the challenge does not affect the validity of the state regulation.

Thus, in the area of jurisprudence, during this period there has been no break in the judicial activity caused by Constitutional Court (TC) ruling 31/2010, of 28 June, which modified the constitutional jurisprudence to introduce a right to education in Castilian Spanish. By way of reminder, the 2010 sentence changed the text of the previous Constitutional Court ruling 337/1994, which recognised the right to 'receive education in Spanish', according to the competent administration. The introduction of the definite article, 'the' (i.e. ‘receive the education in Spanish’), which did not exist in the previous ruling, creates the greatest legal uncertainty as to the scope of this 'new right'. It is therefore an alleged apodictic right invented ex novo by the Constitutional Court, quoted obiter dicta, but with consequences that are so significant that some parents and especially some political parties and associations are encouraging appeals for the courts to impose a percentage of use of Spanish in schools.

Thus, from 2010 to 2015 the Generalitat's Department of Education received approximately one thousand administrative applications (in 2013 there were 32 families and 48 students, in 2014 there were 325 families and 472 students, and in 2015 it dropped to 239 applications, corresponding to 126 families and 196 students), which asked for three different things: bilingual education (this request is common to all), communications with the family to also be done in Castilian, and for the box on the pre-enrolment sheet to be changed. The Generalitat's resolutions repeatedly deny the request to modify the language used in the educational system in Catalonia, refuse to change the box on the sheet and agree that the communication with the family can also be done in Castilian. These parental requests, although signed by individuals, are largely based on forms previously prepared by two associations...
(Convivencia Cívica Catalana and, to a lesser extent, a Catholic Confederation of Parents' Associations and a so-called Assembly by a bilingual school), which encourage and incentivise such requests. In fact, at this time, there are only five firm decisions that require several schools in Catalonia to teach a minimum of 25% of classes in Spanish. At this point, the solutions chosen by the centres vary: to teach some subjects in Spanish that were taught in Catalan; to introduce Spanish into split groups; or to use it in specific tasks. In some cases, it has not been necessary to do anything because some of the subjects were already taught in Spanish.

The educational linguistic model remains very current in judicial conflicts after several decisions by the Supreme Court and the TSJC, following the interpretive line started by the former in December 2010, recognising parents' 'right' to appeal for their children, 'together with the classroom students', to receive education in Spanish. This is right does not exist in the legislation in force, given that Act 12/2009 on Education in Catalonia provides for individualised attention in Spanish in the year in which students begin their primary education (Article 11.4). There is no mention of the unconstitutionality of this aspect of the Law, for which the courts would have the matter of unconstitutionality at their disposal. The Supreme Court expressly endorses the criterion of 25% of classes in Catalan ruled by several orders issued since January 2013 by the Fifth Section of the Administrative Litigation Board of the Superior Court of Justice of Catalonia, as a precautionary measure. The sentences oblige the educational centres to introduce percentages of Spanish use in the groups or classes of students involved in contentious appeals before they are ruled on, which specifically corresponds to 25% of the group's teaching. This provisional and later definitive decision is extended to the group or classroom of the student whose parents have presented the claim, therefore affecting the other students and creating groups, within the same school, that will be forced to follow a particular language regime (see the Supreme Court Ruling of 15 January 2014, since all the parents' appeals are identical and act under the same procedural representation). The headmasters of the schools concerned try to minimise this impact on the language distribution of activities and subjects, which not all students want. However, the rulings force the classes in Castilian to be a core subject, such as mathematics, geography and history or natural environment studies.

Catalan Parliament approved several initiatives to reject these decisions and the new state regulations that are intended to protect them, such as Resolution 590/X, on defending the inclusive model of the Catalan school and rejecting the Organic Law on Improving Educational Quality (adopted by the Commission on Education and Universities on 20 March 2014, published in BOPC, no. 297, of 7 April, 2014, available at <http://www.parlament.cat/document/BOPC/52367.pdf>); or Resolution 557/X, which agrees to file a suit of unconstitutionality against the LOMCE (adopted by the Plenary of the Parliament on 26 February 2014, published in BOPC, no. 272, dated 3 March 2014, available at <http://www.parlament.cat/document/BOPC/52342.pdf>). In exercising its own competences in teaching and language, the Generalitat regulates the knowledge of Catalan needed for teaching jobs in public education centres and services (Decree 39/2014, of March 25).

Although in the educational system as a whole the number of requests to use Spanish as a vehicular language is small, this jurisprudence, together with the implementation of the LOMCE, pressures and questions the system of linguistic conjunction and immersion. For example, in a ruling of 28 April 2015, the Supreme Court (TS) confirmed the order of the Administrative Litigation Board of the Superior Court of Justice of Catalonia (TSJC), of 30 January 2014. This order required the headmaster of Barcelona's Escola Pia de Sarrià-Calassà to take measures so that 25% of teaching hours received by three students were taught in Spanish. The TSJC resolved that the system of individualised attention in Spanish to students who request it (provided for in section four of article 11 of Catalan Parliament Law 12/2009, of 10 July, on education) did not fulfil the contents of a previous order, issued on 30 May 2013, and confirmed by the same court on 29 July of the same year. According to this order, the Generalitat's Department of Education had to ‘adapt the language teaching system, insofar as it affects the appellant's daughter (to be understood as daughters), to the ‘new situation' created by the declaration of ruling 31/2010 of the Constitutional Court, which also considers Spanish as the vehicular language of teaching in Catalonia along with Catalan'. Since the TSJC considered that the number of hours in Spanish in the mentioned school did not fulfil this requirement, the Court itself decided to specify the percentage of teaching hours required in Spanish for which it can be described as a vehicular language.

The result of the conflict unleashed by the Constitutional Court is therefore a large number of Supreme Court rulings dealing with the use of Catalan as a vehicular language in the Catalan educational system, and confirming the previous resolutions of the Superior Court of Justice of Catalonia (TSJC) legally

DIRECTORATE-GENERAL FOR LANGUAGE POLICY | GOVERNMENT OF CATALONIA
establishing an obligatory percentage of Castilian use in the schools and groups of students involved in the judicial processes.

These rulings come from the interpretation made by the Supreme Court Ruling of 9 December 2010, made on the Constitutional Court Ruling 31/2010, on the Catalan Statute. The jurisprudential basis of the declarations of the TSJC is the TC’s argument on whether the first and second paragraphs of Article 35 of Organic Law 6/2006, on the Statute of Autonomy of Catalonia, complies with the Spanish Constitution. According to the court’s ruling, there should be ‘an interpretation consistent with the Constitution[,] to the effect that ‘the Statute’ does not prevent the free and effective exercise of the right to receive their education (emphasis added, due to the change in meaning that this word’s absence would entail) in Spanish as a vehicular language and a language of learning’ (Ruling 31/2010, of 28 June, legal basis 24), whereby ‘Spanish cannot stop being a vehicular language and a language of learning’ (FJ 14.a). In short, the TSJC, on the one hand in light of the appeals requesting a higher percentage of Spanish and, on the other, the Constitutional Court’s ruling that introduces an alleged right to for students to receive their education in Spanish, also legislates preventively by introducing a necessary percentage of Spanish. The TSJC has ignored the fact that the current Catalan Law 12/2009 notes that ‘Catalan, as the language of Catalonia, is the language normally used as a vehicular language and of learning for the education system’ (Article 11.1), and only excludes ‘the subjects of Spanish and foreign language and literature’ to this general rule (article 11.2). It should be noted that this article was not included in the appeal of unconstitutionality against this Law filed on 28 October 2009 by more than fifty deputies of the Popular Parliamentary Group, in such a way that both the TSJC records and the TS ruling that endorses them note them as something so unusual as to breach existing legislation, both for the material content of the decisions, and for circumventing the legally prescribed procedure to invalidate the contravening provisions: if these courts consider article 11 of Act 12/2009 to be contrary to the Constitution, the legally prescribed way to annul it (article 35 of Organic Law 2/1979) was to raise a question of unconstitutionality to the TC, and not to claim legislative or executive power for themselves.

In addition, in 2014 the Constitutional Court dismissed the appeal presented by the Generalitat in 2007 against the Royal Decree that established that Catalan centres should teach a third hour of Spanish language.

At the same time as this jurisdictional conflict was taking place, the parties defending the primacy of Spanish have been formulating interpellations and parliamentary questions aimed at demonstrating the Generalitat’s non-compliance with the Spanish-language quotas imposed by judicial means beyond the law. Therefore, on the whole, there is a situation of parliamentary debate in which the language, as noted in previous reports, has been an important object of political confrontation, a confrontation that contrasts with an absolutely peaceful situation amongst citizens in as far as the language is concerned, and in terms of Catalan national claims, fortunately.

The TS ruling of 30 January 2014 has been more positive, which rejects the Convivencia Cívica Catalana’s appeal of annulment against inadmissibility, due to a lack of active legitimation, on the appeal in which they sought full nullity of Decree 128/2010, of 14 September, on the accreditation of language knowledge of faculty staff from universities of the Catalan university system. Likewise, in 2014 the TS rejected an appeal from an association defending Castilian Spanish, Impulso Ciudadano, against a decree of the Generalitat that considers Catalan as ‘the vehicular language of education, administration and communication normally used in the centre’s activities’. In line with its previous sentences, the TS deemed that this consideration did not affect the use of Spanish in the classroom.
Article 9. Justice

The article corresponding to Justice is transcribed below:

**Paragraph 1.**

With respect to judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and with the 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, the Parties undertake:

- **a)** in criminal proceedings:
  
  i) to ensure that the courts, at the request of one of the parties, conduct the proceedings in the regional or minority languages; and/or
  
  ii) to guarantee the accused party the right to use his/her regional or minority language; and/or
  
  iii) to provide that claims and evidence, whether written or oral, shall not be considered inadmissible solely because they are elaborated in a regional or minority language; and/or
  
  iv) to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary through the use of interpreters and translations involving no extra expense for the persons concerned;

- **b)** in civil proceedings:
  
  i) to ensure that the courts, at the request of one of the parties, conduct the proceedings in the regional or minority languages; and/or
  
  ii) to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or
  
  iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary through the use of interpreters and translations.

- **c)** in proceedings before courts concerning administrative matters:
  
  i) to ensure that the courts, at the request of one of the parties, conduct the proceedings in the regional or minority languages; and/or
  
  ii) to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or
  
  iii) to allow documents and evidence to be produced in the regional or minority languages, if necessary through the use of interpreters and translations.

**Paragraph 2.**

The Parties undertake:

- **a)** not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language; or

- **b)** not to deny the validity, between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language, and to ensure that they can be invoked against interested third parties who are not users of these languages with the condition that the contents of the document are made known to them by the person(s) who invoke(s) it; or

- **c)** not to deny the validity, between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.

**Paragraph 3.**

The Parties undertake to make the most important national statutory texts available in the regional or minority languages, and those that particularly relate to users of these languages, unless they are otherwise provided.

The above sections are broken down and commented on below.

**Paragraph 1.**

With respect to judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these
languages and with the 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, the Parties undertake:

From the Committee of Experts' report on Aranese Occitan:

775. The Committee of Experts has received no information on the application of Article 9 with respect to Aranese. Notwithstanding the fact that the situation is similar to that of the other languages of Part III of the Charter, the Committee requests that the authorities provide the necessary information in the next periodic report.

Actions of the Generalitat’s Department of Justice: general lines of action in the application of article 9

The general outlines of the Charter’s application in the area of Justice are presented below. It should be said that, in general terms, competences regarding Justice correspond to the State to a large extent. With regard to its actions, we refer back to the Committee of Ministers’ recommendations - and those of the Committee of Experts related to them - which we have laid out in part I of this report and which repeatedly urge the State to take specific decisions in this area.

The previous reports of the Charter’s Committee of Experts have referred to the weaknesses of state legislation in clearly establishing the mandate of the Charter. In spite of the repeated reiteration by the Committee of Experts and Ministers, nothing has changed in either legislation or practice, so the percentage of judicial proceedings in Catalan continues to decline with respect to the data from the previous report. Part I of that report, commenting on the recommendations of the Committees of Ministers and Experts, lists the many initiatives taken to try to modify state legislation in order to comply with Spain's commitments to the Charter, and with the recommendations of the Council of Europe's committees. None of the initiatives have been successful. All have suffered the rejection of the Spanish Government and the parliamentary majority that supports it.

Moreover, the Catalan Government, within its sphere of competence in justice, essentially of a purely executive nature, and in its promotion of Catalan, has pressed for the adoption of a regulatory instrument allowing for the improvement of judicial personnel's language skills. This came in the form of Decree 180/2014, of 30 December, on the certification of legal language knowledge (level J). This ruling sets out the assessment and certification of specific knowledge of Catalan for legal and judicial purposes, and promotes assessment of this knowledge for legal personnel, certifying them in the process of providing jobs in this field. It aims to provide correct knowledge of Catalan for judicial purposes and to encourage its use.

Use of Catalan in Justice Administration.

Without substantial regulatory changes during this period, and despite the promotion policies adopted by the Catalan Administration to address the language rights of citizens and specifically those derived from the Charter, as indicated in the previous report, the use of Catalan in justice is marked by its slow but progressive decline. Such is this the case, that today we can deduce just from the percentages provided by statistics, that the situation can hardly be considered compatible with the general use of Catalan in most areas of society.

If we focus on the most significant data of judicial proceedings, sentencing, the evolution is as follows:

<table>
<thead>
<tr>
<th></th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sentences</td>
<td>12.4%</td>
<td>12.2%</td>
<td>8.4%</td>
<td>8.4%</td>
</tr>
</tbody>
</table>

This data shows a downward trend and a clear marginalisation of Catalan in judicial activity (a tendency that is corroborated by a contrast study carried out on 2015 statistical data). The situation, as seen below, is not due to the lack of resources invested in training and promotion, but rather to structural reasons such as the system of judicial staff provision with barely any consideration for the regional language, the judicial structure, with central bodies for which Catalan is not an official language and therefore return any judicial action communicated in Catalan, or a lack of legislative parity in the treatment of Spanish and Catalan in the judiciary. In other words, there is a lack of clarification and
regulatory support from the point of view of the European Charter, as called for in the report of the Committee of Experts.

In spite of everything, the Generalitat has continued with its policy of support and promotion in this area. We can summarise the actions carried out related to compliance with the first paragraph of Article 9 of the Charter, which give continuity to those already noted in the previous report.

It should be noted, firstly, that the Generalitat provides the Justice Administration with a team of around 45 language technicians who serve in the various judicial demarcations and are entrusted with tasks of assessment, translation and correction, training and linguistic promotion. This team serves all judicial staff (judges and magistrates, prosecutors, Justice Administration lawyers and administrative staff). The details of these services are presented below.

Within the activities of assessment and translation, the following data should be highlighted:

### Documents produced by judicial bodies translated and corrected by the linguistic service

<table>
<thead>
<tr>
<th></th>
<th>Translations</th>
<th>Corrections</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>2,845</td>
<td>1,436</td>
<td>4,281</td>
</tr>
<tr>
<td>2014</td>
<td>3,382</td>
<td>985</td>
<td>4,367</td>
</tr>
<tr>
<td>2015</td>
<td>3,346</td>
<td>610</td>
<td>3,956</td>
</tr>
<tr>
<td>2016</td>
<td>3,893</td>
<td>1,207</td>
<td>5,100</td>
</tr>
</tbody>
</table>

### Translations into Catalan and updates of computer systems' reference documents

<table>
<thead>
<tr>
<th></th>
<th>Translated documents</th>
<th>Updates</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>700</td>
<td>919</td>
</tr>
<tr>
<td>2014</td>
<td>407</td>
<td>Ongoing updates</td>
</tr>
<tr>
<td>2015</td>
<td>2,198</td>
<td>Ongoing updates</td>
</tr>
<tr>
<td>2016</td>
<td>1,087</td>
<td>Ongoing updates</td>
</tr>
</tbody>
</table>

### Consultation service (counted from 2015-2016 period)

<table>
<thead>
<tr>
<th></th>
<th>Consultations addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>1,402</td>
</tr>
<tr>
<td>2016</td>
<td>852</td>
</tr>
</tbody>
</table>

There has been continual provision and improvement of the service via the staff intranet of Justice Administration and the website. Access to linguistic resources has been provided (lexical and juridical resources, stylistic and drafting criteria in the area of the judiciary, terminological search engines, etc.), as has legislation applicable to the area of the judiciary (special mention should be made to the publication of the European Charter and the Council of Europe reports). They have also provided courses and training resources in Catalan, both in PDF format and online. Amongst these we should highlight:

- the provision of the automatic translator for all judicial staff, with the possibility for the user to review the text him or herself, or having an expert linguist do this. This allows the judge, prosecutor or other judicial staff to have a quick and high-quality translation.

- the fortnightly release of the newsletter with linguistic notes *Saps què?*, addressed to all judicial staff.

- periodic dissemination via the intranet and the website of examples of good linguistic practices in the legal and judicial field (2015-2016).

- continuity in the publication of terminological dictionaries with the publication, in December 2013, of the *Diccionari de dret administratiu* (Administrative law dictionary).

- the publication of the [www.terminologiajuridica.cat](http://www.terminologiajuridica.cat) website from the Termcat terminology centre, offering complete information on Catalan legal terminology. This webpage incorporates the work of the Committee of Law Terminology, formed of institutions and professional sectors of the legal world, which began its work in March 2015.
During 2016, the Generalitat's Department of Justice carried out a comprehensive examination of the judicial documentation affecting citizen services, and provided the necessary support to all institutes and customer service points so that they have all information and documents available in Catalan.

From the point of view of encouraging the use of Catalan, we should highlight the campaign En català, també és de llei, carried out by the Directorate-General for Language Policy in collaboration with the Department of Justice, and with the support of the different legal professional schools, deployed from 2015 onwards. It includes web and audiovisual support, incorporating videos with the participation of judges and legal professionals, information on language rights, an interactive space, agenda, and customer service. This was also published in the media. On the other hand, the campaign has been displayed in various judicial buildings with a travelling exhibition on Catalan and language rights in the field of justice. Also in 2017, all judicial institutions were equipped with brochure dispensers, detailing the campaign's contents.

It has also continued with the dissemination of documents approved at the plenary of the Catalan Observatory of Justice, La llengua catalana a la justícia and Manual de bones pràctiques a l'àmbit jurídic i judicial, noted in the previous report. Furthermore, a new document was published, called Criteris per als usos lingüístics a l'Administració de justícia (October 2013). The latter seeks to clarify different situations in which contradictory interpretations of language legislation applicable to the judicial sphere have been given. Thus, it provides guidelines for judicial staff and legal operators in general to have the information and criteria to solve any doubts that may arise regarding the application of legislation and language rights in their daily professional work.

During this period, the Department of Justice organised two conferences on the use of Catalan and the execution of language rights. The first took place on 10 September 2014, on good practice in justice, as an act of dissemination and opinion with the manual of good practices mentioned above. The second, on 24 November 2016, was called 'Language Rights: Catalan in Justice'. This event reflected on language rights in justice and the use of Catalan in relation to the implementation of the Charter and the Fourth Report of the Committee of Experts and Committee of Ministers’ recommendations. In addition to this conference, the Department has collaborated with sessions organised annually by two legal entities: the Council of Catalan Lawyers and the Association of Jurists for Catalan Language. Thus, in the conclusions of the V Conference on the Use of Catalan in Justice, organised on 28 November 2013 by the Council of Catalan Lawyers, it is noted that with the Committees of Ministers and Experts of the Council of Europe, the possible actions in favour of the use of Catalan and Aranese Occitan are limited by the legal framework in force in Spain, and the advancement of Catalan in justice would be clear if it were a State language.

Finally, in the previous report, we pointed out the importance that the Agreement of the Generalitat of 7 May 2013 could have. Under this Agreement, the legal services of the Catalan Government and the agencies that depend on it urge that the legal proceedings they are part of be processed in Catalan. This measure aims to generate a positive dynamic of uses that makes Catalan a language that can be used without problems in justice, especially in this case, in the contentious-administrative area. In this way, the judicial staff becomes familiar with working in Catalan, so that the use of Catalan does not pose any problem when it must meet the rights derived from the current Spanish and Catalan legislation and from the European Charter.

Despite the efforts made, the results of this request by the Generalitat’s attorneys have been scarce, so much so that, in terms of the use of Catalan, there is little difference between the trials in which the regional Administration participates and other legal proceedings. According to data from the Generalitat's Legal Office, these are the percentages of decisions (judgments and orders - decisions not substantiated) that have been notified in Catalan.

<table>
<thead>
<tr>
<th></th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of sentences notified in Catalan</td>
<td>13.4%</td>
<td>12.7%</td>
<td>11.6%</td>
</tr>
<tr>
<td>Percentage of court orders notified in Catalan</td>
<td>11.6%</td>
<td>11.00%</td>
<td>11.6%</td>
</tr>
</tbody>
</table>
If, in this area of jurisdiction, the results are no longer positive, as indicated in the table above, the general statistical data on the jurisdictional task carried out in Catalan is even less encouraging. This is because not only does it have a very low index of documents in Catalan, but also this figure is declining.

Language competence of judicial staff and training in Catalan

The only space in which there has been a small improvement is the evaluation of among Justice Administration support staff (management bodies and procedural and administrative processing and judicial assistance). In these cases, on the one hand, the assessment of the level of legal language has been promoted by Generalitat Decree 180/2014, a fact that has promoted language training that is adequate for the job. On the other hand, within these support bodies, according to article 521.3.B and 530 of the Organic Law of the Judiciary, the level of Catalan proficiency (level C1) has been assessed for providing individual jobs (basically in positions of persons in charge of common procedural services of the different judicial parties in which the new model of judicial office has been implemented).

Likewise, the Draft Order for the Selection, Appointment and Removal of Acting Staff for Civil Servants Serving the Administration of Justice in Catalonia, prepared by the Department of Justice in 2016 and to be approved in 2017, foresees a section of merit for knowledge of Catalan, plus another section for its effective use. With this, it intends to promote not only the knowledge itself, but the ability to use it effectively in the work environment.

Moreover, the Generalitat has continued to implement an extensive training programme in Catalan for all judicial staff. Specifically, it offers training at levels A2, B1, B2, C1 and J (Catalan legal language), with full-time, part-time and remote learning options. This training allows judges, prosecutors and other judicial staff to adapt the training to the characteristics of their job (workplace, mobility, availability, etc.). It is a relevant fact that the language service has replaced the training materials, which has been transferred to a virtual environment (Aula Mestra), with a specific focus on Justice Administration and the legal sphere.

Taking into account the volume of students in these courses, it can be said that this training is very well received.

Judicial personnel enrolled in Catalan courses (includes 2016-2017 session)

<table>
<thead>
<tr>
<th></th>
<th>Judges, Prosecutors and JA lawyers</th>
<th>Other civil servants</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>147</td>
<td>1,407</td>
<td>1,554</td>
</tr>
<tr>
<td>2016</td>
<td>162</td>
<td>935</td>
<td>1,097</td>
</tr>
<tr>
<td>2015</td>
<td>123</td>
<td>866</td>
<td>898</td>
</tr>
<tr>
<td>2014</td>
<td>138</td>
<td>847</td>
<td>985</td>
</tr>
<tr>
<td>2013</td>
<td>180</td>
<td>1,051</td>
<td>1,231</td>
</tr>
</tbody>
</table>

During the 2016-2017 session, a practical language module has been incorporated into the C1 level and legal language assessment system on a voluntary basis. The objective is to transfer the knowledge acquired in the course corresponding to practical experience of the Catalan language carried out in the work environment. Specifically, 15% and 20% of the final test is replaced by daily work in Catalan. In this way, an attempt is made to alleviate one of the problems of training in this field, which is that training monitoring is often not accompanied by effective work in Catalan, as reflected in the usage data, which allows the judge or official to acquire real competence in Catalan. Of the 1,554 people registered at all levels of Catalan, 773 have chosen to carry out this type of evaluation. The results of this improvement will have to be analysed from 2017 onwards.

Collaboration with professional bodies in the legal sector and Catalan promotion

Together with the members of the Administration of Justice, one of the decisive agents in the area of justice is legal professionals who, in some way or another, work and have a professional relationship with it. In the previous report we mentioned that agreements were reached with all the different groups (the first was in 2008 with the Council of Catalan Lawyers) to implement a concerted action with the Catalan Government in terms of language promotion and training.
With the experience gained, and to give a new impetus whilst homogenising and rationalising the actions carried out, a new single agreement was signed with the professional bodies of lawyers, attorneys, social graduates, notaries and property, commercial and assets registrars to promote the use of Catalan, dated 12 May, 2015, with a term of five years. This agreement has allowed the collaboration between the public administration and these groups to implement measures of training, advice and awareness campaigns.

Despite expiring in 2017, we should also mention the Agreement between the Administration of the Generalitat, through the Department of Justice, and the Council of Catalan Lawyers. The Agreement is for a pilot programme to promote the use of Catalan in certain professional actions in the scope of the court-appointed legal representatives and legal aid, of 28 December 2016. Court-appointed lawyers officially enrolled in the Programme undertake to write their professional documents in Catalan and inform the client of their language rights, and, as compensation, an economic incentive is established.

As for law professionals' training activity, training has continued to be offered at levels B1, B2, C1 and legal language (J), online and with monthly face-to-face sessions.

<table>
<thead>
<tr>
<th>Professionals enrolled in Catalan training (includes 2016-2017 edition)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lawyers</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>2013</td>
</tr>
<tr>
<td>2014</td>
</tr>
<tr>
<td>2015</td>
</tr>
<tr>
<td>2016</td>
</tr>
<tr>
<td>2017</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

Within the framework of this concerted action, the Department of Justice offers an automatic translation service (Spanish-Catalan and vice versa) on the intranet of these groups, with the following indexes of use:

**Use of automatic translator by lawyers and other legal operators**

<table>
<thead>
<tr>
<th></th>
<th>Words</th>
<th>Documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>935,342</td>
<td>539</td>
</tr>
<tr>
<td>2014</td>
<td>800,057</td>
<td>469</td>
</tr>
<tr>
<td>2015</td>
<td>1,002,364</td>
<td>469</td>
</tr>
<tr>
<td>2016</td>
<td>823,093</td>
<td>487</td>
</tr>
</tbody>
</table>

The use of the Catalan language in notarial documents


The total number of notarial documents drafted in Catalan was 96,102 in 2011, 94,166 in 2012, 82,152 in 2013, 79,828 in 2014, 84,371 in 2015 and 85,332 in 2016, with a small increase over the previous year, albeit with a downward trend when compared to previous years.

The Generalitat exercises the power conferred to it by Article 147.1 of the Catalan Statute of Autonomy on the appointment of notaries, by means of the call for, administration and resolution of contests. Since 2009, the entrance exams for Catalonia and for the territory where the Catalan Government has competence have been held simultaneously.
For the provision of notaries, in accordance with the mandate of the Statute of Autonomy, notaries who apply for a job in Catalonia must accredit knowledge of the Catalan language and law in the form and within the scope provided in the Statute and laws. It should be emphasised that at this point the Constitutional Court Ruling of 28 June 2010 considered the statutory text fully adjusted to the Constitution, including with respect to the requirement of accreditation of the Catalan language.

Since the Generalitat's first call for applications, which took place via Resolution JUS/319/2008, of 7 February, (DOGC 5070, of 14 February), the Catalan Department of Justice complied with the previous provisions requiring that knowledge of Catalan must be accredited to participate in the contest, but admits that if the notary does not have sufficient and adequate knowledge of it, this can be compensated for if he/she has personnel that are proficient, with the condition that a greater knowledge is required from the staff than from the notary.

Agreement between the Generalitat and the Catalan College of Notaries for the promotion of Catalan. On 12 May 2015, an agreement was signed between the Generalitat and the Chamber of Notaries, replacing that of 29 July 2011 and 23 December 2009. The purpose of the agreement was to promote measures for the linguistic introduction of notaries new to jobs in Catalonia, and training to those who have already been fulfilling this position in Catalonia. The agreement foresees improving language competence in Catalan of notaries and personnel who work in the notarial offices, with data collection on knowledge of Catalan in the notary office and the use of the online course Parla.cat, as well as to facilitate the use of Catalan in notarial documentation.

**Paragraph 2. The Parties undertake:**

a) not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language; or

Effects of judicial proceedings in Catalan in other territories

This commitment of the Spanish State is in question because it is difficult to implement judicial proceedings in Catalan that need to be effective outside of the territory, where Catalan is not official. This is one of the points that the proposals of law mentioned and rejected by the State attempted to provide an answer to. We can establish different situations in which there is a mismatch and the commitment of Article 9.2 of the Charter is not fully adhered to.

Firstly, the aforementioned commitment is not fulfilled when the actions must take effect in Catalan-speaking territories without official status (e.g. Aragon). There have even been practices that deny that a text in Catalan can have an effect in Valencia, despite the fact that both the scientific community and the highest jurisdictional bodies have established that it is the same language (although in Valencia it has the official name of ‘Valencian’). There was a recent case in 2017 in which an Alicante judge rejected documents because he considered that they were in Catalan and not in Valencian.

And, secondly, we should highlight the interdiction that central jurisdictional bodies of the State can accept documentation (both judicial and parts of the process) in Catalan. Although some resolutions of the Supreme Court itself advocated a broad interpretation of Article 231 of the Organic Law of the Judiciary in the sense of not rejecting documents in Catalan on the grounds of language, the same Supreme Court (TS judgment of 18 November 2011) and the Constitutional Court, in Ruling 31/2010, reiterate the exclusivity of Spanish in all actions of central judicial bodies. This is despite the fact that Article 33.5 of the Catalan Statute of Autonomy establishes the possibility of addressing these bodies in Catalan.

This limitation is especially important for Catalan because its use is confined to the territory where it is official, which does not coincide at all with the territory in which the legal acts of citizens and public institutions are produced. Thus, all actions processed in Catalan that must have effects in central bodies are conditioned by the fact that they will go on to be judged in an institution in which Catalan is not official.

The Generalitat has put forward solutions such as making it the official body in the destination place that establishes which documentation must be translated (so that no translations are useless), and has been providing tools to address these situations, such as the translation of Catalan into Spanish via
legal translation services, and even provides a translation service in the Supreme Court itself. However, the results cannot be satisfactory because it should be the state bodies that assume the legal fact that the Spanish State has several official languages, and that a significant part of the legal acts are conveyed in these languages.

**Paragraph 3.**
The Parties undertake to make the most important national statutory texts available in the regional or minority languages, and those that particularly relate to users of these languages, unless they are otherwise provided.

| From the Committee of Experts' report on Occitan, Aranese in Aran: |
| 776. In the third periodic report, the Committee of Experts considered that this undertaking was partially fulfilled and requested the Spanish authorities to provide information in the next periodic report on other national legislative texts that have been published in Aranese. |
| 777. No further information was provided to the Committee of Experts. |
| 778. The Committee of Experts considers that this commitment continues to show partial compliance and requests the Spanish authorities to provide information in this regard in the next periodic report. |
| 781. The Committee of Experts is still unable to reach a conclusion and requests the corresponding information in the next periodic report. |

**Use of Catalan in official publications**
The Generalitat has continued to work to provide legal texts in Catalan. Laws and regulations continue to be published with legal status in the Official State Gazette, as a result of the agreement between the Official State Gazette and the Official Gazette of the Generalitat. The texts are available from 1979 onwards. However, as pointed out in the Committee of Experts' Report (point 215), there are notable delays in the publication of Catalan texts in relation to those published in Spanish. In this regard, a greater involvement of the State Government in order to achieve simultaneity in publication in Catalan would be desirable, as delays cause the legal operator to default to the Spanish version of all legislative developments in state regulations.

In terms of the dissemination of legal texts, during this period the LexCat project has been continued and consolidated, and incorporated into the Portal Jurídic legislative platform. The available texts are presented with their different versions of validity and are permanently updated. On 17 January 2017, a new collaboration agreement was signed between the Department of Justice and the Official Gazette of the Generalitat, under which the line of work being carried out is consolidated and the possibility is established for incorporating European legislation into Catalan.

The 2016 LexCat - Portal Jurídic offers this content:

**Legislative texts of the State available on the Portal Jurídic at the end of 2016**

<table>
<thead>
<tr>
<th>Regulations published</th>
<th>In PDF format: 36</th>
</tr>
</thead>
<tbody>
<tr>
<td>198</td>
<td>In HTML format: 162</td>
</tr>
</tbody>
</table>

There is also a significant volume of users of the LexCat service on the Portal Jurídic, with the following number of visits.

**Number of visits to State legislative texts on the Portal Jurídic**

<table>
<thead>
<tr>
<th>Visits</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
</tr>
<tr>
<td>22,276</td>
</tr>
<tr>
<td>2014</td>
</tr>
<tr>
<td>122,584</td>
</tr>
<tr>
<td>2015</td>
</tr>
<tr>
<td>84,149</td>
</tr>
<tr>
<td>2016</td>
</tr>
<tr>
<td>109,019</td>
</tr>
</tbody>
</table>
Occitan, Aranese in Aran

Translation of Catalan Laws

Adaptation of the Catalan Parliament language services

This legal obligation to translate all laws into Occitan brought about an adaptation of the Catalan Parliament's Language Services (SALs), which assume the responsibility for this. Of course, they also assume some additional tasks, given that they have to manage an additional language version.

In order to adapt to this new need, SALs have had an impact on various aspects, including the training of linguists and the availability of material resources are important. In recent years, the Catalan Parliament's language advisers have received two Aranese Occitan courses: a basic Aranese Occitan course in 2010 and a course on the translation of legislative texts from Catalan to Aranese Occitan in 2015.

Apart from the training, the SALs have received or have acquired bibliographic material on Occitan: dictionaries, grammars and other reference works.

Translation of other parliamentary texts

Although the translation of laws is the task the Parliament's linguistic services spend most time on, it should not be forgotten that the laws are not the only text that is translated into Occitan. As we said at the beginning, the Occitan Act, Aranese in Aran also establishes the obligation to translate the provisions, resolutions and agreements that specifically affect Aran. Thus, all the Parliament's resolutions and motions that include some point making direct reference to Aran are translated into Occitan. One example is Resolution 115/XI, on the implementation of Catalan Law 35/2010, on Occitan, Aranese in Aran, which was also published in Occitan in the Official Gazette of the Parliament of Catalonia (BOPC).

In addition to the texts approved, proposals for resolutions, questions to the Government and other initiatives submitted to the Parliament's Registry in this language are published in the BOPC in Occitan. In this case, SALs do not intervene, because parliamentary initiatives are texts of deputies or parliamentary groups, and are thus published without SALs doing the linguistic review, as presented in the Register and in the language in which they were submitted.

There are other types of texts that Parliament produces in Occitan. These are the letters, invitations and various communications that the parliamentary bodies, such as the Presidency, directs to institutions and persons from Aran. Of course, out of respect for the language of Val d'Aran, all these administrative texts are drafted and sent in Occitan.

Oral interventions

Another parliamentary area where the presence of Occitan is evident is in plenary or commission debates. Occitan speakers may intervene in their language. The proximity between Catalan and Occitan makes simultaneous translation unnecessary. The deputies follow the interventions in Occitan without many difficulties. This fact contributes positively to the linguistic standardisation of Occitan in Catalan institutions. In the current legislature, since the elections of September 2015, there is a deputy who usually participates entirely in Occitan. Other deputies make sporadic greetings or brief interventions. We should add that, sometimes, someone appearing in a commission also participates in Occitan, generally in subjects related to Aran or to Occitan culture.

With regard to the impact that these interventions in Occitan have on the activity of the Parliament's linguistic services, it must be borne in mind that all debates in plenary and in commission are transcribed and published in the Journal of Sessions of the Catalan Parliament (DSPC). Those responsible for reviewing these transcripts are linguistic advisors who perform specialised functions of transcribing oral speeches.

The transcripts of debates are carried out by a team of transcribers, who are also responsible for transcribing interventions in Occitan. The transcribed text is reviewed by the Parliament's linguistic advisers, who verify that it is faithful to the speech given. Afterwards, it is sent to the Conselh Generau d'Aran, who performs a final language review, bearing in mind that the aim is to respect the words of
the speaker to the utmost. Once reviewed by the Conselh Generau, the transcript of the plenary or the commission that includes the intervention in Occitan is published in the DSPC.

Occasionally people appear in the commissions who speak in a variety of Occitan that is different from Aranese. In these cases, the transcription is not sent to Conselh Generau d’Aran, because it only revises texts written or transcribed in Aranese Occitan. Some of the Occitan attendees accept to review the transcript of their speech themselves. If that is not possible, the final review is done by the linguistic adviser.

The Parliament's website
The Parliament's website offers a part of its contents in Aranese Occitan. Specifically, users can consult the static contents relating to the history, structure and functioning of the Parliament in Occitan, as well as laws and other approved texts for which an Occitan version has been made.

State legislation in Aranese Occitan
There is no knowledge of the State publishing state legislation in Aranese, nor of Spanish parliament making any use of this official language.
Article 10. Administrative authorities and public services

The article corresponding to administrative authorities and public services is transcribed below:

Paragraph 1.
Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below, and according to the situation of each language, the Parties undertake, as far as is reasonably possible:

a) i) to ensure that the administrative authorities use the regional or minority languages; or
ii) to ensure that officers who are in contact with the public use the regional or minority languages in their relations with persons communicating with them in these languages; or
iii) to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or
iv) to ensure that users of regional or minority languages may submit oral or written applications in these languages; or
v) to ensure that users of regional or minority languages may validly submit a document in these languages;
b) to make frequently-used administrative texts and forms in regional or minority languages, or bilingual versions, available to the public;
c) to allow the administrative authorities to draft documents in a regional or minority language.

Paragraph 2.
With respect to the local and regional authorities in a territory where the number of residents use regional or minority languages is enough to justify the measures specified below, the Parties undertake to allow and/or encourage:

a) the use of regional or minority languages within the framework of the regional or local authority;
b) the possibility for users of regional or minority languages to submit oral or written applications in these languages;
c) the official documents of regional authorities to also be published in the relevant regional or minority languages;
d) the official documents of local authorities to also be published in the relevant regional or minority languages

e) the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
f) the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;
g) the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place names in regional or minority languages.

Paragraph 3.
With regard to public services provided by the administrative authorities or other persons acting on their behalf, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible, the contracting Parties undertake:

a) to ensure that the regional or minority languages are used in the provision of the service; or
b) to allow users of regional or minority languages to submit a request and receive a reply in these languages; or
c) to allow users of regional or minority languages to submit a request in these languages.

Paragraph 4.
With a view to putting the accepted provisions of paragraphs 1, 2 and 3 into effect, the Parties undertake to take one or more of the following measures:

a) translation or interpretation as may be required;
b) recruitment and, where necessary, training of the officials and other public service employees required;
c) acceptance, insofar as it is possible, of applications by public service employees with a knowledge of a regional or minority language to be appointed in the territory in which that language is used.

Paragraph 5.
The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

The article is broken down below with the corresponding comments:

**Paragraph 1.**
Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below, and according to the situation of each language, the Parties undertake, as far as is reasonably possible:

a) i) to ensure that the administrative authorities use the regional or minority languages; or

**From the Committee of Experts’ report:**
5. A persistent problem is the lack of staff capable of using the languages in question in some areas of State Administration, as well as in public services, especially in health care. This affects the use of minority languages in these areas. The Committee of Experts therefore considers it very important that a coherent and systematic policy be adopted with regard to the services to be provided.

73. There does not appear to be an analysis of which administrative and other forms are the most commonly used and which should be translated as a matter of priority. Many websites only translate the first level of navigation or static information into the regional or minority language. The Committee of Experts was informed of on-going problems and therefore requested the Spanish authorities to submit information in the next periodic report.

83. Despite the progress made, there is still no structured policy on the selection and professional progress of State Administration staff posted in Autonomous Communities, to ensure a working knowledge of the regional or minority languages concerned.

217. In the third evaluation report, the Committee of Experts concluded that this commitment had been partially fulfilled. It noted that there appeared to be no overall policy or strategic approach to analyse the current situation and plan to send documents in Catalan more systematically, or to have sufficient staff with adequate knowledge of the language. The Committee of Experts urged the authorities to provide sufficient resources to the Council of Official Languages in the General State Administration to carry out this work.

218. The fourth periodic report contains no information in this area.

219. During the on-site visit, the Committee of Experts was informed that no significant improvements had been made in relation to the State Administration in Catalonia.

220. The Committee of Experts maintains its previous conclusion that this undertaking has been partially fulfilled.

**The Committee of Experts urges the Spanish authorities to substantially increase the number of Catalan-speaking employees in the relevant departments of the Administration and to implement the appropriate training programmes.**

Again, the Committee of Ministers, in its latest recommendations, requires the Spanish institutions to ‘continue to adopt the necessary legal and practical measures to ensure the adequate presence of co-official languages in the State Administration in the Autonomous Communities’. The Committee of Experts expresses itself in a similar and more detailed fashion. In spite of this, State Act 39/2015, of 1 October, on the common administrative procedure of public administrations, does not improve the wording of the previous homologous law. The article regulating language uses (15) is identical to no. 36 of the previous Act 30/1992, of 26 November, on the legal regime of public administrations and the common administrative procedure. The first paragraph goes on to state that "the language of the procedures processed by the General State Administration will be Spanish", without any territorial modulation, which implies that the General State Administration is exempt from the Autonomous Communities’ linguistic regime and contravenes letter b of the second paragraph of Article 2 of Catalan Parliament Law 1/1998, of 7 January, on language policy. This law establishes that Catalan is ‘the language preferably used by the State Administration in Catalonia in the form that it determines’. Additionally, although article 15 of State Act 39/2015 recognises the right of citizens to use another
official language of the Autonomous Community, where they exist, and for the procedure to be processed in that language. It prescribes processing in Spanish when ‘there are several agents involved in the proceedings, and where there is a discrepancy in the language’. This prescription again violates the presumption of an equal scope of ‘official status’ for each language in places with more than one official language. The third section of the article aims to regulate the linguistic uses of other public administrations, since it establishes that "the Public Administration instructor must translate the documents, files or parts thereof that must take effect outside the territory of the Autonomous Community into Spanish", and only exempts documents that ‘must take effect in the territory of an Autonomous Community where the same language is co-official’.

As mentioned in previous reports, and briefly discussed it in part II, art. 7 par. 2 of this one, the Spanish Government continues to endlessly promulgate regulations that require the use of Spanish in a way that prevents the autonomous use of official languages in the area in question. They also invade regional powers in terms of language that should be exercised by the corresponding administration in each case, in the sense indicated in the Charter and not by systematically imposing Spanish.

Let us look at some other examples of this period, which are additional to those of previous periods:

- First of all, due to the negative effects that this provision may have on the application of the Charter, we have Article 56 of Legislative Royal Decree 6/2015, of 30 October, approving the consolidated text of the Law on Traffic, Motor Vehicle Circulation and Road Safety, which imposes the use of Castilian on all traffic signs. In Catalonia, in addition to place names, the presence of Catalan exclusively on road signs that depend on the regional administrations is completely normal. So, it is normal to see signs in Catalan indicating the direction to the town hall, the church, the centre of the village, etc., with or without a pictogram. Likewise, exceptions to parking prohibitions or other texts specific to traffic signs are written in this language. The state law makes all these signs illegal by ordering the use of Spanish and not respecting territorial competences in matters of language, roads and public highways, and not respecting the official status and mandate to promote those languages, and ultimately not respecting the commitments of the Charter. As always, this rule has provoked legal insecurity, so that some Catalan municipalities that used Catalan on road signs have introduced Castilian. Compliance with this state rule by the administrations that own the signs would mean a significant regression in the linguistic image of all settlements of territories with their own language other than Spanish, that is, one protected by the Charter.

- Article 6.2 of Royal Decree 215/2014, of 28 March, approving the Organic Statute of the Independent Fiscal Responsibility Authority, establishes that ‘the transfer of documentation and information to the Independent Fiscal Responsibility Authority shall be carried out in Spanish and by telematic means [...]’.

- Spanish law also imposes Castilian in various articles of Act 22/2014, of 12 November, regulating venture capital companies, other closed-end collective investment companies and the management companies of closed-end collective investment companies, by amending Act 35/2003, of 4 November, on Collective Investment Institutions.

- Also in terms of basis no.7 of Order HAP/1995/2014, of 29 October, approving the list of bases that govern the expedition for general licenses for the development and exploitation of gambling activities of Act 13/2011, of 27 May, regulating gambling. The central State agencies refuse to use automatic translation tools, which are very effective in the case of Catalan, and force the citizens to use them instead.

- There is no provision to attend the relatives of victims of aviation accidents in their official language in the Resolution of 14 May 2014, approving the Coordination Protocol for assistance to victims of civil aviation accidents and their families.

- Spanish is also imposed in various articles of Royal Decree 750/2014, of 5 September, which regulates aerial firefighting and search-and-rescue activities, and establishes the requirements in the field of airworthiness and licenses for other aeronautical activities; and in the Resolution of 26 May 2014, on the State Public Employment Service, which regulates the accreditation and registration of training centres and institutions that provide vocational distance training for employment in the field of the State Public Employment Service.

70
- Article 12 of Royal Decree 814/2015, of 11 September, ‘approving the Regulation of the special review procedures of decisions in contractual matters and of the organisation of the Central Administrative Court of Contractual Resources’, which imposes the use of Castilian among citizens in ‘writings and documents of any kind directed to the Central Administrative Court’.

- The minimum mandatory use of Spanish is repeated in Act 38/2015, of 29 September, ‘on the railway sector’, in relation to the publication of the railway infrastructure managers’ declaration on the railway network (article 32.2).

- Various articles of Royal Decree 949/2015, of 23 October, approving the Regulations of the National Registry of Associations, providing for the exclusive use of Spanish in both the registration and documentation that citizens must submit. Again, the Spanish Government does not conceive of the use of the official languages protected by the Charter in state institutions.

- Several articles of Royal Decree 1084/2015, of 4 December, which develops Act 55/2007, of 28 December, on Cinema, impose the use of Castilian among individuals.

Also, the following provisions:
- Royal Decree 418/2015, of 29 May, regulating the first sale of fishery products (article 4.10).
- Royal Legislative Decree 1/2015, of 24 July, approving the consolidated text of the Law on Guarantees and Rational Use of Medicines and Medical Devices (Articles 15.1, 31.1, 37.5, 79.3, 113.b.7).

Furthermore, in 2014 the Catalan parliamentary groups of CiU and ERC asked, once again, to allow the use of Catalan in the chamber during the meeting for the speech on the reform of the Spanish Parliament's Congress of Deputies' regulation. The proposal was rejected by the president of the Congress, Jesús Posada, with the argument that this type of proposals was ‘maximalist’ and did not contribute to reaching the consensus needed to modify the regulation.

In addition, in 2014, the Catalan Parliament adopted a motion requesting the Spanish Government to have its web pages reflect the plurilingualism of the State, and to include all official languages other than Castilian. It was also requested that there be no differentiation between Valencian and Catalan on these websites, according to the criteria of the linguistic and scientific community.

\[ \text{b) to make frequently-used administrative texts and forms in regional or minority languages, or bilingual versions, available to the public;} \]

From the Committee of Experts' report:

223. While recognising the existence of some positive developments, the Committee of Experts noted that the percentage of texts and printed matter that the General State Administration directs to the population in Catalan or a bilingual format is still inadequate, and concludes that the commitment has not been respected in its entirety.

From the Committee of Experts' report on Occitan, Aranese in Aran:
782. In the third evaluation report, the Committee of Experts formally considered this undertaking and requested the Spanish authorities to provide detailed information on its practical application.
783. In the fourth periodic report, no further information was provided on the texts and forms that had been published in Aranese.
784. The Committee of Experts considers that this commitment continues to be met only formally and requests the authorities to provide such information.

Occitan language
In 2012 the Catalan Government started preparing the Aranese Occitan version of forms from several departments to facilitate customer service in this language.

Similarly, it began to draw up the Aranese versions of the information from several of the Generalitat’s websites. Thus, it should be noted that the Catalan Parliament's website has an Aranese version of all its pages. In turn, the institutional websites of the Catalan Government have been incorporating the
respective Aranese versions of the main information since 2012. It should be noted that the Catalan administration has made all the information and forms available in Aranese in the 012 citizen service portal since 2013. Subsequently, the website of the DIPLOCAT agency for information and institutional projection outside of Catalonia has also been available in Aranese in full since 2014. The Generalitat’s institutional access and introduction web pages provide all their main content in Aranese.

Within the scope of digital communication with the administration, and due to its increasing use and impact on the citizens, it is important to the following webpages and the forms that they contain:

- Virtual Administration Office (OVT)
- The Generalitat's general electronic registry
- The Generalitat's online service website

For their part, the different departments of the Generalitat are incorporating and adapting their webpages to incorporate the Aranese version. It should be noted that in the 2015-2016 period there was a change in the design and structure of the Generalitat’s entire institutional webpage system, which did not allow for further progress in this task. It was resumed in 2016. It should also be noted that many of the Generalitat’s agencies’ websites did not rely on multilingual platforms. With the change in the structures and web designs mentioned, multilingual platforms are being generalised to include information in languages such as English or French. This promotes the incorporation of the Aranese version as an official language in Catalonia.

Among others, it should be noted that, since 2013, the forms and all static information of the Catalan police in the Val d’Aran is available in Aranese.

As for the Ministry of Culture, in 2016, Aranese started being included in applications for the dissemination of cultural heritage like ‘Visitmuseum’, accessible on mobile phones. This application is under development regarding the incorporation of basic information and elements of virtual visits to the country's museums, which are also available in Aranese.

It is also worth noting that, in 2017, the Ministry of Culture is planning to publish the Aranese version of the Protocol on Language Rights document, which was produced within the framework of the European cultural capital of San Sebastián in 2016.

\[c) \text{to allow the administrative authorities to draft documents in a regional or minority language.}\]

**From the Committee of Experts' report on Occitan, Aranese in Aran:**

785. In the third evaluation report, the Committee of Experts considered this undertaking only formally completed.

786. No further information was provided in the fourth periodic report.

787. The Committee of Experts considers that this commitment continues to be implemented only formally and requests the Spanish authorities to provide detailed information on the practical implementation of this commitment in the next periodic report.

**Paragraph 2.**

With respect to the local and regional authorities in a territory where the number of residents use regional or minority languages is enough to justify the measures specified below, the Parties undertake to allow and/or encourage:

a) the use of regional or minority languages within the framework of the regional or local authority;
From the Committee of Experts’ report on Occitan, Aranese in Aran:

788. In the third evaluation report, the Committee of Experts considered that this commitment had been fulfilled in terms of local authorities. With regard to the autonomous authorities, it requested more specific information on its actual use of Aranese and on the legislative framework in order to be able to formulate a conclusion. The Committee of Experts requested the Spanish authorities to provide such information in the next periodic report.

789. According to the fourth periodic report, Aranese is normally used in administrative documents in the Aran Valley, local administrations and the General Council of Aran. The most relevant information on the Government of Catalonia’s website is translated into Aranese. 790. The Committee of Experts considers this commitment to have been fulfilled.

To comment on this we will refer back to the previous reports and the previous section, since there is no reason to think that the use of Catalan and Occitan has decreased in the Administration of the Generalitat and in local institutions in practice. In this respect, we should repeat that various municipal administrations have continued to approve regulations for the use of the Catalan language. Let us recall that, since the 1983 Catalan Law on Linguistic Standardisation, it has been obligatory for the Generalitat Administration and the local authorities to adopt language regulations to encourage the use of Catalan. The 1998 Language Policy Act maintained this obligation and extended it to all public corporations.

In addition to the different municipalities mentioned in the previous report when discussing the roll-out of Regulations on the use of the Catalan language, we can add other municipalities from the period analysed in this report, such as Sant Climent de Llobregat town council (2013) or Lleida City Council (2014), among others.

Occitan language

The Diputación de Lleida, a local administration within the Spanish legal framework, supports the development and publication of materials to promote tourism and disseminate the language and culture of the Val d’Aran in Aranese. We should point out that the Diputación itself co-publishes the proceedings of the International Congress of the International Association of Occitan Studies (AIEO, Lleida, 2014) with the Ministry of Culture, which will appear in July 2017.

We should also point out that since 2010 all the Catalan Parliament’s laws, as well as all the legal texts and documents that concern the territory of Aran, have an Aranese version, as mentioned in article 9, paragraph 3 of this report and the previous one (2010-2012). This is done in accordance with article 7.1 of Act 35/2010, on Occitan. It should be noted that according to this article the Aranese Occitan versions of the Parliament's laws are official in nature and are therefore not just documentary translations.

b) the possibility for users of regional or minority languages to submit oral or written applications in these languages;

From the Committee of Experts’ report on Occitan, Aranese in Aran:

791. Due to the lack of information on the practical implementation of this commitment, the Committee of Experts considered it to be only formally completed in the third evaluation report.

Occitan language

Public services and procedures with the local administrations in Aran are usually carried out in Aranese if so desired. To date, there are no complaints about a lack of availability in that regard.

In relation to the Administration of the Generalitat, we refer back to our earlier comments regarding the progressive availability of forms, procedures and websites in Aranese.

Furthermore, it should be noted that according to the official status of Occitan throughout Catalonia, as regulated by Catalan Act 35/2010, all written documentation or oral communication in Aranese is
attended to and formally accepted without requiring translation into other languages such as Catalan or Spanish.

\textbf{e) the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;}\n
**Occitan language**

In Catalan Parliament, the use of Aranese by deputies who wish to express themselves in this language or by citizens who interact with it is normal.

In the previous parliamentary term (2012-2015), the Chamber had an Aranese deputy, the mayor of Vielha, who usually participated in plenary sessions and in the commission in Aranese. Since 2015, in the current term, the chamber has two Aranese parliamentarians from different political backgrounds. One of them participates mainly in Aranese during parliamentary activities and work.

The Catalan Parliament's publications, session diaries and the official gazette all include the Aranese transcriptions of these speeches. They also publish the documents presented in Aranese in the same language without any accompanying translation. When the document is originally in Catalan or Spanish and affects or refers to the territory of Aran or to linguistic matters of and Aranese culture, it is accompanied by a version of the text in Aranese (see also section 9, paragraph 3).

Furthermore, members of the Catalan Government use Aranese on occasion in the chamber when addressing parliamentary questions or matters interventions raised by Aranese deputies or in Aranese.

\textbf{g) the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place names in regional or minority languages.}\n
The Catalan Government, via the Directorate-General for Language Policy and in agreement with the Catalan Toponymy Commission, is studying a revision of Decree 78/1991, of 8 April. This Decree has been the subject of further specific modifications related to the use of local toponymy.

In December 2015, the Catalan Toponymy Commission agreed to promote a general revision of the regulation, which includes, as main aspects of the modifications, an adaptation of Act 35/2010 on Occitan, and to the new bodies that have been created (the Institut d'Estudis Aranesi academy), which have legal authority regarding language regulations. Another relevant aspect planned in the revised regulations is the inclusion of uses of the Occitan toponymic forms in the Occitan territory or cultural space (in France and Italy). This revision includes a proposal for a new decree that is expected to be formally processed in 2017, for approval in 2018.

The place names of Val d’Aran only have the Occitan form as their official and correct form according to the Catalan Act 1/1998, on language policy. This rule is applied generally and normally.

In terms of Catalan, in 2014 Catalan Parliament approved a resolution urging the Catalan Government to make appropriate arrangements with the Spanish Development Ministry to standardise the use of Catalan at destination airports and cities from Barcelona Airport. This move was met with the State’s refusal to standardise destination place names.

\textbf{Paragraph 3. With regard to public services provided by the administrative authorities or other persons acting on their behalf, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible, the contracting Parties undertake:}\n
\textbf{a) to ensure that the regional or minority languages are used in the provision of the service;\n}
From the Committee of Experts’ report:

224. In the third evaluation report, the Committee of Experts maintains its previous conclusion that this undertaking has been partially fulfilled. It invited the authorities to provide more specific information on the use of Catalan in public services.

225. According to the information provided in the fourth periodic report, Act 22/2010, of 20 July, on the Consumer Code of Catalonia, establishes that consumers are entitled to be attended to orally and in writing in the official language of their choice (article 128-1, 1), in accordance with the provisions of the Statute of Autonomy and applicable law in language matters.

226. The Committee of Experts commends the progress made by the Catalan authorities, but maintains its previous conclusion that this commitment is only partially fulfilled at the State level.

On Occitan, Aranese in Aran:

803. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment and requested the Spanish authorities to provide information on its practical application in the next periodic report.

804. No further information was provided in the fourth periodic report.

805. The Committee of Experts remains unable to reach a conclusion on this commitment and requests the Spanish authorities to provide the relevant information in the next periodic report.

**Paragraph 4**

*With a view to putting the accepted provisions of paragraphs 1, 2 and 3 into effect, the Parties undertake to take one or more of the following measures:*

a) translation or interpretation as may be required;

From the Committee of Experts’ report on Occitan, Aranese in Aran:

806. In the third evaluation report, the Committee of Experts considered that this commitment had been fulfilled.

807. According to the fourth evaluation report, the Catalan Government offers a Catalan-Occitan and Castilian-Occitan automatic translation service (in both directions) on its website. This service allows for the translation of texts and can be integrated into web pages in the form of a translation button. Since 2008, this service has been used 238,058 times.

808. In addition, according to the fourth evaluation report, the Catalan Government has an official translator who is responsible for the translations of Catalan and Spanish into Aranese. The Committee of Experts has not been informed of the existence of any similar service at the level of the General State Administration.

809. In light of the above findings, the Committee of Experts considers that this commitment is not met in relation to the State Administration while it is met in respect of local and regional administrations.

Occitan language

In terms of Aranese, the Generalitat continues to have an automatic translator that is free to access and use. The automatic translator allows direct and reverse translations from Catalan and Spanish to Aranese Occitan and general Occitan. In 2016, the Directorate-General for Language Policy commissioned a study on updating and improving requirements for this information resource. The completion of the work to review the automatic translator is scheduled for 2017 or early 2018.

The Spanish Government does not recognise translators authorised by the Generalitat

In accordance with the sixteenth additional provision of State Law 2/2014, of 25 March, on the external action and service of the State, as amended by the fourth final provision of State Law 29/2015, of 30 July, on international legal cooperation in civil matters, the Spanish State currently only recognises translations into Spanish (or from Spanish) as official when they are carried out by a person who has the title of sworn translator from Spanish into a foreign language or vice versa, granted by the Ministry of Foreign Affairs and Cooperation, or those carried out by a diplomatic representation or consular office under the terms of Act 29/2015.
Ministerial Order AEC/2125/2014, of 6 November, which refers to sworn translation, orders the presentation of documents in Spanish and does not provide for sworn translators between Catalan and other languages:

a) It does not include any reference to other sworn translators and interpreters ‘authorised’ by the Autonomous Communities, nor to registers or the possibility of recognising them, nor any reference to other official languages of the State.
b) It does not allow recent graduates to be eligible to join the register as provided for in the Generalitat’s regulations; to be a sworn translator you must pass the Ministry’s examinations.
c) For the first time, it establishes how the stamp and the card should appear in an appendix (this detail had not been explained until now).
d) Article 8.2 prevents the use of Catalan in the stamp: “a. The information on the stamp must be exclusively in Castilian”.

As it has been years since the Spanish State has opened a call for examinations to authorise sworn Catalan translators, and as it does not recognise the translations or interpretations carried out by sworn translation and interpretation professionals approved by the Generalitat as being official, it is practically stating that Catalan is not official when a text that needs to go through the State Administration is translated. The Generalitat’s Directorate-General for Language Policy has tried to reach an agreement several times with the Spanish Ministry of Foreign Affairs and Cooperation to solve this problem, but all efforts have been unsuccessful to date.

In the last three years, several sworn translators or institutions affected by the situation have raised cases related to the non-recognition of sworn translators authorised by the Catalan Government’s Directorate-General for Language Policy.

This situation generates great insecurity about the effectiveness of documents drafted in Catalan abroad. The translation into any foreign language of a document written in Catalan can be rejected because of the State’s failure to recognise translators from Catalan to Spanish or other languages recognised by the Catalan Government. Given that these translations are rejected by the Spanish Government, and that translators from Catalan into Castilian authorised by the State will disappear due to a lack of official state calls for selection tests, it may become impossible to officially recognise translations of documents originally written in Catalan.

### b) recruitment and, where necessary, training of the officials and other public service employees required:

From the Committee of Experts' report:

235. The Committee of Experts commends the progress made by the Catalan authorities in their training of civil servants. However, there is still a shortage of Catalan-speaking staff in the General State Administration. Thus, the Committee of Experts concludes that the commitment continues to be partially fulfilled in respect of State Administration bodies.

F. The use of regional or minority languages before the State Administration continues to be hampered by the lack of personnel using the specific language, although the situation is considerably different between ministries and the different branches of the peripheral administration. State-owned public services suffer similar deficiencies, especially those providing services throughout the country. A coherent and systematic policy and a strategic approach to services in the minority language are necessary so that users are not discouraged from using their languages in these institutions.

On Occitan, Aranese in Aran:

810. In the third evaluation report, the Committee of Experts stated that it could not reach any conclusions regarding this commitment and therefore requested the authorities to provide more detailed information on the number of persons who had received training and on the officials with sufficient knowledge of Aranese.

811. According to the fourth periodic report, due to the current economic situation in Spain, the administration has undergone a rationalisation process in recent years, making it impossible to incorporate personnel with specialised training for the specific needs of the Aranese language.

812. The Aranese language courses mentioned above are mainly addressed to employees of the Catalan public administration, where in fact most of the attendees work.
According to the information provided by the Spanish authorities, the Aranese administration has sufficient trained staff to meet the language needs of the region.

The Committee of Experts considers that this commitment has not been complied with by State authorities and has been complied with by local and regional authorities.

Legislation and practice continue to establish the need for knowledge of Catalan, as well as Occitan, Aranese in Aran, for staff who report to territorial administrations. The recommendations of the Advisory Board for Administrative Recruitment in Catalonia also establish the use of Catalan and Aranese Occitan in administrative recruitment. In principle, all these provisions continue to be applied satisfactorily to staff assigned to Catalan territorial administrations and the services contracted by them.

State legislation also establishes knowledge of official languages as being relevant for personnel assigned to the State Administration in the Autonomous Communities with their own official language other than Castilian, but in practice it does not apply. In some job openings of State personnel assigned to the region, it is only considered a merit, not a requirement.

During the current period of analysis, the State has approved Royal Legislative Decree 5/2015, of 30 October, approving the consolidated text of the Law of the Basic Statute of the Public Employee. References to official languages other than Castilian are similar to those of the previous law, Act 7/2007, of 12 April, of the Basic Statute of the Public Employee. On the one hand, this Act should be interpreted, together with the Catalan Statute of 2010, in the sense that knowledge of Catalan and, if appropriate, Occitan Aranese should be required in the provision of State Administration personnel posts in Catalonia. Since the 1984 State Law, State Law requires that staff be ‘properly trained’ in those languages. Despite these clear and repeated legal mandates, and despite repeated recommendations from the Council of Europe’s Committee of Ministers and Experts cycle after cycle, state openings for the provision of posts do not require knowledge of the official language, either in Catalonia or in any other region.

Royal Legislative Decree 5/2015 includes the explicit provision of evidence to verify the level of foreign languages already contained in Act 7/2007. This contrasts with the absence of such explicit provision in the case of official languages other than Castilian.

Following our previous report, State Law 27/2013, of 27 December, on the rationalisation and sustainability of Local Administration, repealed an additional provision of Act 7/2007 that clearly established the requirement for local officials with state authorisation to know the territory's official language. It should be noted that, until the enactment of the aforementioned Act 27/2013, the legal language regulation of these state officials, according to the Generalitat, strictly adhered to the European Charter. The abrogation of this legal regulation that enables the language requirement in the only state officials who are required to know Catalan may weaken legal support for this requirement, and thus open the door to legal uncertainty. Such uncertainty is, as always, detrimental to the weaker languages, which are protected by the Charter.

c) acceptance, insofar as it is possible, of applications by public service employees with a knowledge of a regional or minority language to be appointed in the territory in which that language is used.

From the Committee of Experts’ report on Occitan, Aranese in Aran:

In its third evaluation report, the Committee of Experts stated that it was not in a position to reach a conclusion on this commitment and requested the Spanish authorities to provide information on the five areas concerned (branches of the State Administration in Catalonia, Administration of the Autonomous Community, General Council of Aran, local administrations and public services) in the next periodic report.

According to the fourth periodic report, a certain command of Aranese is required to work in public administration in the Val d’Aran. Regarding the autonomous authorities, a good level of Aranese is considered a merit for staff of the Catalan Administration that may be assigned to the Val d’Aran (for example, the Mossos d’Esquadra).
817. In light of the previous conclusions, the Committee of Experts considers this commitment to be unfulfilled by State authorities and fulfilled by local and regional authorities.
Article 11. Media

The article corresponding to the media is transcribed below:

\textit{Paragraph 1.}

1. For the users of regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media, the Parties undertake:

\textit{a)} to the extent that radio and television carry out a public service mission:
\begin{itemize}
  \item \textit{i)} to ensure the creation of at least one radio station and one television channel in the regional or minority languages; or
  \item \textit{ii)} to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages; or
  \item \textit{iii)} to make adequate provisions so that broadcasters offer programmes in the regional or minority languages;
\end{itemize}

\textit{b)}
\begin{itemize}
  \item \textit{i)} to encourage and/or facilitate the creation of at least one radio station in the regional or minority languages; or
  \item \textit{ii)} to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;
\end{itemize}

\textit{c)}
\begin{itemize}
  \item \textit{i)} to encourage and/or facilitate the creation of at least one television channel in the regional or minority languages; or
  \item \textit{ii)} to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;
\end{itemize}

\textit{d)} to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

\textit{e)}
\begin{itemize}
  \item \textit{i)} to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages; or
  \item \textit{ii)} to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;
\end{itemize}

\textit{f)}
\begin{itemize}
  \item \textit{i)} to cover the additional costs of media outlets that use regional or minority languages, wherever the law provides for financial assistance in general for the media; or
  \item \textit{ii)} to expand existing measures for financial assistance to audiovisual productions in the regional or minority language;
\end{itemize}

\textit{g)} to support the training of journalists and other media staff using regional or minority languages.

2. The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake 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 a regional or minority language. The exercise of the above-mentioned freedoms, which entails duties and responsibilities, may be subject to certain formalities, conditions, restrictions or penalties, as are prescribed by law and necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder 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 Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law, with a view to ensure the freedom and plurality of the media.
The sections are broken down and commented on below:

**Paragraph 1.**
For the users of regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media, the Parties undertake:

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

The form of media in which languages are most evenly matched is the radio, a medium that is increasingly consumed in Catalan, and for which the two leading radio stations in terms of audience (the public Catalunya Ràdio and the private RAC1 stations) offer their programming entirely in Catalan.

The graph below shows the slightly upward trend in the consumption of radio in Catalan during the 2013-2015 period, very much in line with the consumption of radio in Spanish.

As can be seen in the table below, the most listened-to radio stations in Catalonia are still RAC1 and Catalunya Ràdio, both in Catalan. This trend continues to rise and was already highlighted in the previous report.

![Radio Stations Audience Share](image)

The most consumed medium is television, but this is consumed much more in Spanish, a language in which the supply of channels is much broader. The graph below shows the clear predominance of Spanish. Catalan is gradually increasing, although it is still far from the figures in Spanish during the 2013-2015 period.

Language of television use. 2013-2015

![Language of Television Use](image)

The Catalan Audiovisual Council

The Catalan Audiovisual Council (CAC) is the independent regulatory authority for audiovisual communication in Catalonia. Its purpose is to ensure compliance with the regulations applicable to providers of audiovisual media services, both public and private.

The CAC’s main principles are the defence of freedom of expression and information, plurality, neutrality and informational honesty, as well as free competition in the sector.
The CAC is governed by Act 2/2000, of 4 May, on the Catalan Audiovisual Council, as well as by the framework law of the sector, Act 22/2005, of 29 December, on audiovisual communication in Catalonia.

Agreements approved by the CAC for the promotion of the Catalan and Aranese languages in audiovisual media

The CAC works to ensure that the Catalan and Aranese Occitan languages have a greater presence on radio and television. To this end, the CAC unanimously approved two agreements for the specific adaptation of music sung in Catalan, which affected a total of 11 radio stations. The providers could request a reduction by virtue of Agreement 295/2007, which approves the CAC's Instruction on the presence of Catalan language and culture and Aranese in the mass media. The Instruction allows for specific adaptations of the regulation, which requires musical programming to have a sufficient number of songs produced by Catalan artists, and which are at least 25% sung in Catalan or Aranese.

In particular, the CAC renewed the authorisation of 10 radio stations of the provider UNIPREX, SAU, to broadcast 12% of music in Catalan. Of these 10 stations, there were 7 that broadcast under the Europa FM trademark, while the remaining 3 did so under the Melodía FM brand (Agreement 21/2016). The second agreement refers to the authorisation for the provider Ràdio i Televisió de la Catalunya Nova, SL, so that the radio of Valls (103.2 MHz) broadcasts 18% of songs performed in Catalan (Agreement 63/2016).

Likewise, and in order to reflect on current trends in the audiovisual world, the CAC prepared the Catalan Audiovisual White Paper to strengthen the presence of the Catalan language in the provision of audiovisual content.

The Audiovisual White Paper notes that the absence of a specialised Catalan-language television channels, as a consequence of their difficult economic viability, has meant a drop in the audience share relating to this language. The Directorate-General for Language Policy has detected this decreasing presence and is working to take action on the matter.

The graph below shows this downward trend in all channels broadcast in Catalan from 2000 to 2015.

Evolution of the audience share of television in Catalan in Catalonia (Percentage). 2000-2015 period

Broadly speaking and at the time of writing (2016 data), the fact that the vast majority of channels and television groups are in Spanish (almost 70%, as can be seen in the image below), and that this portion is considerably lower in the Catalan language (less than 19%), means that the Catalan language is still far from reaching optimal and similar coverage to that of Spanish.
Audience share for the language the television groups broadcast in (Average percentage for 2016)

- Castilian Spanish 69.6%
- Catalan 18.9%

818. In the third evaluation report, the Committee of Experts recognised the presence of Aranese in public radio and television broadcasts. However, it also pointed out that the commitment chosen by the Spanish Government is the highest among those established in Article 11.1.a., and concluded therefore that the commitment was not fulfilled. It encouraged the Spanish authorities to continue to support public broadcasts in Aranese.

819. According to the fourth periodic report, there are no radio stations or television channels in Aranese.

820. In 2012, Catalan television channels broadcast 52 hours per year in Aranese, mainly news. Channel 3/24 broadcasts 15 minutes of general news in this language per day. Furthermore, during the regional news it links to Aranese programming, along with another 7-8 minutes on Fridays from the Val d’Aran. Between 2009 and 2012, a 5-minute news programme was broadcast on Barcelona television. The Catalan television channel, through its online version in Aranese, provides access to its content and other programmes in this language, such as storytelling. Catalunya Ràdio has a daily 30-minute news section in the general news. In addition, it broadcasts a 1-hour news programme locally called Aranese Midday (Aran, Meddia Aranès), with news and stories from the Val d’Aran in Aranese.

821. The Committee of Experts welcomes the efforts made by the authorities and acknowledges the difficulties in establishing an independent radio station and television channel in Aranese. However, it reminds the authorities of the high level of commitment undertaken by Spain under Article 11.1.a., encouraging them to gradually increase the supply of programmes in Aranese.

822. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.

823. No further information was provided in the fourth periodic report.

824. The Committee of Experts is therefore not in a position to draw a conclusion on this commitment and requests the Spanish authorities to provide concrete information on the incentives for creating radio stations in Aranese in the next periodic report.

825. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.

826. According to the information provided in the fourth periodic report, Lleida TV broadcasts 20 minutes per day in Aranese, covering the entire province of Lleida. However, there is no television channel.

827. The Committee of Experts considers this commitment to have been partially fulfilled.

828. The Committee of Experts considers this commitment to have been partially fulfilled.

In terms of Aranese, the existence of a 24-hour information channel (3/24) in Aranese Occitan has been guaranteed, and also the radio station Catalunya Ràdio broadcasts frequently in Aranese. This
information can be verified here http://www.ccma.cat/aranes/. This is in addition to all the resources that the Catalan Audiovisual Media Corporation puts at the citizens’ disposal in Aranese.

Likewise, Televisió de Catalunya (TVC) has continued to offer content in Aranese for all of Catalonia, along with regional variations in programmes for the Val d’Aran, and dual-language options for Aranese-speaking viewers on several programmes:

- The channel 3/24 has continued to broadcast the Ròda informatiu programme
- TV3 broadcasts the variation, TN Comarques Val d’Aran, to cover locally relevant current affairs
- Channel 33 broadcasts the documentary series Es Pirenèus des der aire. Super3 broadcasts 187 episodes of the Ua man de condes programme from Monday to Friday at 6pm, lasting 5 minutes, and episodes of the television series La Lua i el món.

In terms of radio, the stations of Catalunya Ràdio broadcast about 400 hours in Aranese for the Val d’Aran: the news programme Aran, Meddia Aranès daily at noon, and the Catalonha información en aranés bulletin, from Monday to Friday at 8am via Catalunya Informació.

- Barcelona Televisión (BTV) has continued to broadcast information in Aranese, in the Info idiomas section, the objective being to current affairs to the different communities that live in the city of Barcelona.
- Lleida TV. This private television channel broadcasts daily in the Aranese language for the entire province.

It should be noted that Catalan Parliament has approved two initiatives calling on the Government to broaden the audiovisual supply in Aranese, and for them to increase budget allocations for this. In this regard, we must mention the Catalan Parliament’s Motion 74/2011 (December 2016), and Motion 120/2011 (April 2017).

Obstacles from the State

From the Committee of Experts’ report:

9. In the majority of Autonomous Communities, a greater effort is required in the area of print and broadcast media so that coverage extends to the whole region.

In this period, the State has reduced the DTTV multiplexes in use for the Autonomous Communities, as a result of the opening-up of radioelectric airspace required by the European Union to be dedicated to 4G telephony (from three multiplexes to two in Catalonia). This has caused both a reduction of the ability to provide Catalan-language television in Catalonia, as well as its reception outside the region. The Catalan Government requested solutions from the State Government on 19 May 2014, since this measure implied a reduction of the possibilities of broadcasting in Catalan and of reciprocal broadcasting between regions. For example, in the Balearic Islands, Catalan channels were moved to the multiplex that would disappear, a fact that generated serious controversy. This reorganisation also caused great debate and alarm in Parliament.

The Ruling of the Supreme Court (SC) of 11 July 2016 dismisses the administrative contentious appeal filed by the Catalan Audiovisual Media Corporation (CCMA) against Royal Decree 805/2014, of 19 September, which approved the National Technical Plan for Digital Terrestrial Television. This ruling, which is justified within the implementation of the international commitments concerning the ‘digital dividend’ - or the opening-up of part of the frequencies traditionally used by television - also introduces a reordering of national radio broadcasting space affecting the distribution of the number of multiplexes amongst the various public and private operators. The CCMA considers that the powers and capacities of autonomous participation in making audiovisual decisions have been violated, but the SC rejects this by claiming the State’s exclusive competence over telecommunications, and the eminently ‘technical’ nature of the decisions afforded by the regulation. However, this does not hide the underlying political conception of an issue - the state model of audiovisual media - of great political and social importance.
c) to encourage and/or facilitate the creation of at least one television channel in the regional or minority languages; or

From the Committee of Experts’ report on Aranese Occitan:

828. In the third evaluation report, the Committee of Experts considered that this commitment had been fulfilled.
829. According to the fourth periodic report, audio and audiovisual works in Aranese are quite rare, with the exception of some available on the internet (via YouTube) and some public information works created by the General Council of Aran. However, as stated in previous reports, article 19 of Act 35/2010, on Occitan, Aranese in Aran, states that it is the responsibility of the Government to broadcast programmes in Aranese in Aran, as well as some in Catalonia. In addition, the Aranese language and its promotion is a criterion established by the Audiovisual Council of Catalonia to grant a licence. There is also an annual prize in the Llanterna Digital awards aimed at encouraging the use of Catalan and Aranese in short films. In its 7th edition in 2013, 35 short films were presented, 6 of which were in Aranese and 29 in Catalan.
830. The Committee of Experts considers this commitment to have been fulfilled.

e)  

i) To encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages; or encourage and/or facilitate the creation and/or maintenance of at least one press body in regional or minority languages; or

ii) To encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;

The consumption of newspapers in the Catalan language has grown significantly in the last three years, from 49% in 2013 to 57.1% in 2015. The percentage of newspapers in Spanish is still higher, although the difference is gradually being bridged. We can therefore say that 57.1% of the population that reads newspapers has read a newspaper in Catalan and 65% have done so in Spanish. The consumption of newspapers in Catalan has decreased by two percentage points compared to 2014, although it is still higher than in 2013. The chart below provides an evolving view of newspaper reading in Catalan, Spanish and other languages.
As for the consumption of magazines, 33.3% of people who have read magazines have done so in Catalan, compared to 85.3% who have done so in Spanish. Consumption of magazines in Catalan has fallen by 12 percentage points compared to 2014, while consumption in Spanish and in other languages has increased slightly.

104 professional digital media outlets are published in Catalan, with a total of 76 million monthly page views (data from August 2016): 14 more outlets than in the same period in 2015.

Below we present the data related to the evolution of magazine consumption during the 2013-2015 period.
831. In the third evaluation report, the Committee of Experts concluded that this commitment was not being fulfilled and encouraged the Spanish authorities to facilitate the creation of a newspaper in Aranese.

832. According to the fourth periodic report, although some advertisements appear in Aranese in some newspapers, there are no full Aranese newspapers in print. However, since 2012, there is a free online newspaper called *Jornalet*, co-financed by the Catalan Government and the General Council of Aran. It is the only one in the whole Occitan territory that publishes daily news.

833. The Committee of Experts congratulates the authorities on their support for the online newspaper and encourages them to explore the possibilities of publishing a print newspaper together with the speakers.

We should point out the existence of a digital newspaper in Aranese, *Jornalet*, which began to be published on 31 March 2012 from Barcelona, and which celebrated its 5th anniversary in 2017 with various ceremonies and meetings with readers. The Generalitat’s Ministry of Culture hosted an official event on digital language models in Occitan on the occasion of this 5th anniversary, on 27 April 2017.

f) ii) To expand existing measures for financial assistance to audiovisual productions in the regional or minority language;

From the Committee of Experts’ report on Aranese Occitan:
834. At the time of the third periodic report, the Committee of Experts had not been informed of the existence of any audiovisual production in Aranese with state funding for films and audiovisual media produced in the co-official languages of Spain, in accordance with the relevant legislation. However, the Committee of Experts concluded that this commitment was formally fulfilled.

835. According to the fourth periodic report, €51.2 million was allocated between 2009 and 2012 to fund media proposals in Catalan or Aranese or communication projects incorporating Catalan or Aranese in one of its programmes or sections. This particular type of funding was divided into nine categories, including periodicals, digital media, radio, television channels, DTTV and journalism. Economic support has also been provided for the publication and broadcasting of traditional and popular Aranese songs, music and dances. However, the Committee of Experts does not know how many audiovisual productions in Aranese have received this financial support.

836. The Committee of Experts is not in a position to draw a conclusion on this undertaking and requests the Spanish authorities to provide specific information on the number of audiovisual productions in Aranese that benefit from this funding in the next periodic report.

The Generalitat grants annual subsidies to media in Catalan or Aranese, or to communication projects that intend to incorporate Catalan or Aranese into one of its programmes or sections.

Between 2013 and 2016, these subsidies were divided into nine specific lines of action, according to the medium targeted (press, digital media, radio and television) and its specific purpose. While structural grants aim to ensure the continuity of Catalan or Aranese media, project grants contribute to the creation of new initiatives that benefit the Catalan sphere of communication:

- Structural subsidies to privately owned digital news media in Catalan or Aranese
- Structural subsidies to privately owned radio stations in Catalan or Aranese
- Structural subsidies to privately owned television stations in Catalan or Aranese
- Structural subsidies for the physical publication of periodicals in Catalan or Aranese
- Subsidies to non-profit entities for projects in Catalan or Aranese that contribute to the promotion of journalism and the Catalan sphere of communication

The table below shows the aid granted to the media during the 2013-2016 period according to the subsidies announced:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Structural subsidies to privately owned digital news media in Catalan or Aranese</td>
<td>€981,298.98</td>
<td>€1,212,269.83</td>
<td>€1,379,451.94</td>
<td>€1,480,301.88</td>
</tr>
<tr>
<td>Structural subsidies to privately owned radio stations in Catalan or Aranese</td>
<td>€535,405.71</td>
<td>€543,189.99</td>
<td>€563,238.70</td>
<td>€569,378.50</td>
</tr>
<tr>
<td>Structural subsidies to privately owned television stations in Catalan or Aranese</td>
<td>€603,792.30</td>
<td>€585,659.01</td>
<td>€548,768.25</td>
<td>€570,000.00</td>
</tr>
<tr>
<td>Structural subsidies for the physical</td>
<td>€4,043,161.47</td>
<td>€4,094,334.77</td>
<td>€4,054,638.82</td>
<td>€3,891,874.86</td>
</tr>
</tbody>
</table>
publication of periodicals in Catalan or Aranese

<table>
<thead>
<tr>
<th>Subsidies to non-profit entities for projects in Catalan or Aranese that contribute to the promotion of journalism and the Catalan sphere of communication</th>
</tr>
</thead>
<tbody>
<tr>
<td>€0.00</td>
</tr>
</tbody>
</table>

The following table shows the number of cases resolved, according to the media outlet they were addressed to. 2013-2016 period

<table>
<thead>
<tr>
<th></th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Press (paper)</td>
<td>205</td>
<td>211</td>
<td>203</td>
<td>199</td>
</tr>
<tr>
<td>Digital media</td>
<td>62</td>
<td>66</td>
<td>68</td>
<td>87</td>
</tr>
<tr>
<td>Radio stations</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>19</td>
</tr>
<tr>
<td>TV</td>
<td>22</td>
<td>24</td>
<td>19</td>
<td>20</td>
</tr>
<tr>
<td>Associations</td>
<td></td>
<td>32</td>
<td>23</td>
<td>26</td>
</tr>
<tr>
<td>Total Rulings</td>
<td>304</td>
<td>348</td>
<td>328</td>
<td>351</td>
</tr>
</tbody>
</table>

837. In the third evaluation report, the Committee of Experts noted that no specific information had been provided on this commitment and that it was therefore not in a position to draw a conclusion on this. It requested the Spanish authorities to provide information in the next periodic report on the training of journalists using Aranese.

838. According to the fourth periodic report, there is currently no training for journalists or other workers in the sector using Aranese.

839. The Committee of Experts considers this commitment to be unfulfilled and encourages the Spanish authorities to support the training of journalists and other media workers using Aranese.

2. The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake 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 a regional or minority language. The exercise of the above-mentioned freedoms, which entails duties and responsibilities, may be subject to certain formalities, conditions, restrictions or penalties, as are prescribed by law and necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder 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.

In 2014 a proposal for a motion was presented in the Congress of Deputies that would have urged the Spanish Government to adopt the necessary regulatory measures to allow TV3 and Catalunya Ràdio, broadcasters that broadcast in Catalan in Catalonia, to also be received in Valencia. This proposal was rejected because of the votes against from the People’s Party’s absolute majority, but with the favourable votes of PSOE and UPyD, among others.

After several years of refusal to broadcast TV3 in Valencia by the People’s Party, which was then in government in Valencia, we can say that after 2015, an election year that changed the government in Valencia, intensive work was begun to restore a sphere of communicative space throughout the entire Catalan-language region.

Thus, in 2015, the Catalan Audiovisual Media Corporation proposed the creation of this sphere between TV3, IB3, and the future Valencian radio and television, which was confirmed to be renamed À Punt in 2017. Work is being done to this proposal with the aim of having an audiovisual sphere of Catalan, shared with all the territories that use the language. More information can be found at this link: http://www.elnacional.cat/ca/politica/tv3-ib3-valencia-canal-conjunt_161142_102.html.
Article 12. Cultural activities and facilities

The article corresponding to cultural activities and services is transcribed below:

Paragraph 1.
With regard to cultural activities and services – 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 the use of new technologies, among other things – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

a) to encourage expression and initiatives specific to regional or minority languages, and foster the different means of access to works produced in these languages;
b) to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
c) to foster access in regional or minority languages 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 regional or minority languages and cultures in the undertakings that 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 staff at their disposal who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;
f) to encourage the direct participation of people who represent of the users of a given regional or minority language in providing facilities and planning cultural activities;
g) to encourage and/or facilitate the creation of a body or bodies responsible for gathering, collecting and presenting or publishing works produced in the regional or minority languages;
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 each regional or minority language.

Paragraph 2.
With respect to territories other than those in which the regional or minority languages are traditionally used, if the number of users of a regional or minority language justifies it, the Parties undertake to allow, encourage and/or provide appropriate cultural activities and services in accordance with the preceding paragraph.

Paragraph 3.
The Parties undertake to make appropriate provisions, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

These sections are broken down and commented on below:

Paragraph 1.
With regard to cultural activities and services – 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 the use of new technologies, among other things – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

a) to encourage expression and initiatives specific to regional or minority languages, and foster the different means of access to works produced in these languages;
From the Committee of Experts’ report on Aranese Occitan:

840. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.

841. According to the fourth periodic report, the General Council of Aran has organised literary competitions at all levels. Furthermore, it has maintained an allocation for books in Aranese in schools and libraries. The public library of Vielha (the capital of the Val d’Aran) opened the Arán Occitania Cultural Space (Espaci Culturau Aran Occitània) in 2013. However, no information is available on activities in non-literary areas.

842. The Committee of Experts considers this commitment to be partially fulfilled and requests the authorities to provide specific information on non-literary cultural activities for the promotion of Aranese.

The Catalan Institute of Cultural Enterprises (ICEC)
The Catalan Institute of Cultural Enterprises (ICEC), which until 2011 was known as the Catalan Institute of Cultural Industries (ICIC), is a body of the Generalitat’s Ministry of Culture. It was created in 2000 with the aim of boosting artistic creativity and production. It is also responsible for distributing and disseminating cultural contents via the development of cultural enterprises, and promoting cultural consumption and market expansion for Catalan culture.

Its main lines of action are the provision of grants and subsidies for Catalan companies for the production, promotion, distribution and broadcasting, as well as rehabilitation and improvement of facilities; collaboration with other institutes and agencies to promote cultural broadcasting and consumption, as well as support for the promotion of professional projects abroad via participation in fairs and international events, thus facilitating companies’ access to the international markets.

During this period, the Catalan Institute of Cultural Enterprises has provided different lines of annual support for audiovisual production, in which the use of Catalan or Aranese is an element of added value.

- Subsidies for improving audiovisual projects under development
- Subsidies for producing feature films and large-scale productions
- Subsidies for promoting the operation and broadcasting of feature films and large-scale productions
- Subsidies for producing short films
- Subsidies for producing feature films with artistic cultural merits
- Subsidies to independent production companies for producing documentaries for television broadcasting.
- Subsidies to independent production companies for the production of feature-length television films intended to be broadcast on television.

Books
In the 2013-2016 period, support was maintained for production and promotion, ensuring the competitiveness of Catalan-language books and affecting the promotion of books in Aranese and reading in general. Different types of support are offered:

- Production support. The production grants are linked to marketing, so as to ensure market presence.
  - Grants for publishing in Catalan and Occitan, and the publishing of Catalan composers’ scores.
  - Subsidies for publishing production of special cultural interest in Catalan or Occitan language, and for the publication of scores of special cultural interest.

- Support for dissemination and promotion.
  - Subsidies for activities aimed at the public or the media to promote individual titles or collections of books in Catalan or Occitan.

- Fairs, festivals and markets.
  - In order to strengthen the book industry and give visibility to Catalan-language books, the ICEC has a regional event calendar focused on the thematic diversity of publications, the approach to the public and the calendar of book fairs, so that books are in the news throughout the year.
The latest data available on reading books shows that in 2015, 26.5% of book readers read a book in Catalan, 65.4% did so in Spanish and 8.2% in other languages. It should be noted that since 2013 there has been a trend of maintaining and even slightly increasing the percentage of book readers in Catalan and other languages. In the graph below you can see the results for the 2013-2015 period in comparison with Spanish and other languages.

![Language the reader read his or her last book in. 2009-2015](image)

Source: Survey on cultural participation in Catalonia. Weighted data for 2015 according to place of birth.

Thus, with the aim of improving the presence of Catalan and Occitan in publishing, the Catalan Government grants several subsidies for this purpose each year. The table below shows the most recent data on subsidies granted to publishing production in Catalan and Occitan for 2015.

<table>
<thead>
<tr>
<th>Subsidy for publishing production in Catalan and Occitan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CLT/967/2015 i CLT/1808/2015</strong></td>
</tr>
<tr>
<td>Total funding*</td>
</tr>
<tr>
<td>765,352,83</td>
</tr>
<tr>
<td>Data of publication with the DOGC</td>
</tr>
<tr>
<td>14/05/2015 i 10/09/2015</td>
</tr>
<tr>
<td>Application deadline</td>
</tr>
<tr>
<td>22/06/2015 i 01/12/2015</td>
</tr>
<tr>
<td>Amount granted</td>
</tr>
<tr>
<td>754,697,42</td>
</tr>
<tr>
<td>Number of projects</td>
</tr>
<tr>
<td>501</td>
</tr>
<tr>
<td>Number of beneficiaries</td>
</tr>
<tr>
<td>59</td>
</tr>
</tbody>
</table>

Reading support, Reading plan
In 2013, the Directorate-General for Language Policy and CPNL launched the Llegiu i Parleu programme (Read and Speak), which combines reading with conversation practice. It is a programme to reinforce the learning and use of Catalan among adults. The instructional materials offered online
are intended for adult learners in general, Voluntariat per la Llengua participants, or reading clubs. Thirty new activities are added annually.

With this programme, the Directorate-General for Language Policy, which promotes the programme, contributes to increasing the citizens’ communicative abilities and development of the habit of reading.

The programme includes actions to practice the Catalan language through reading, aimed at adult learners and the population in general. Llegiu i parleu (Read and speak) was born with the following objectives:
- To improve the number of adults who speak Catalan
- To encourage reading practice and make Catalan authors known among the learners of face-to-face and virtual Catalan courses,
- To motivate conversation and language use from the pleasure of reading, and to support projects that encourage reading abilities and projects that increase the supply of books in Catalan.

The programme has been developed in various projects. The participation figures for 2016 are as follows:
- Reading clubs: 1,354 activities and 21,831 participants;
- "Parla.cat llegeix" (Parla.cat reads): over 230,000 subscribers;
- "T’agradarà llegir en català" (You’ll love to read in Catalan): 9,000 magazines in Catalan, 50 mastheads, 300 bars and cafeterias and 98 towns;
- "Llegir per parlar, llegir per aprendre" (Read to speak, read to learn): 64 issues published;
- “Parlem tu i jo” (Let's you and I talk) publication of magazines with comics and unpublished stories by Catalan authors.

Finally, a line of grants has been announced to promote the Catalan language: translation into Catalan, to projects for institutions to promote reading and technological projects to promote reading.

Performing arts
Its strategic objective is the consolidation of theatre and circus companies in Catalonia. To fulfil its objective, in the 2013-2016 period various lines of subsidies were announced for professional companies, production companies, production management companies, private theatre rooms, associations of professionals in the sector, and companies and institutions doing activities to promote the performing arts:

- Subsidies via collaboration agreements with theatrical production and circus companies and theatre management companies with their own production.
- Subsidies to collaborate with private theatres for programming or operating theatrical and circus activities that are professional in nature.
- Subsidies for promoting the professional theatre and circus sector in Catalonia.
Occitan language
The Ministry of Culture, via the ICEC's (Catalan Institute for Cultural Enterprises) lines of subsidy for audiovisual productions, includes the creation of original versions among its evaluation criteria, and has explicitly provided for the possibility of an original version in Aranese since 2015. This scope of subsidies includes feature films and fiction television series, and animation series for television (Resolution CLT/2953/2015, 26 November).

b) to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

From the Committee of Experts’ report on Aranese Occitan:

843. In the third evaluation report, the Committee of Experts considered that this commitment was partially fulfilled and requested the Spanish authorities to indicate in their next evaluation report examples of works in Aranese subtitled in other languages and of translation and dubbing activities related to this commitment.

844. According to the fourth periodic report, since 2011, the Occitan Film Festival has subtitled its productions into Catalan, in order to extend the scope of the event to the whole of Catalonia. The General Council of Aran organised the 12th Occitan-Catalan Seminar, in which the Catalan-Occitan dictionary was presented.

845. The Committee of Experts considers this commitment to have been fulfilled.

For the promotion of cinema in the Occitan language, the Generalitat has continued to support the Festival de Cine Mòstra de Cinèma Occitan (Occitan film festival), as an element of dissemination for Occitan language and culture. The Mòstra de Cinèma Occitan offers an overall view of Occitan language and culture through audiovisual creations, and contributes to the construction of a public exhibition network in Catalonia and Occitania, with the collaboration of Catalan and Occitan institutions, cultural entities and companies.

On the following web page you can see all the information on the Mòstra de Cinèma Occitan during the 2008-2016 period: http://llengua.gencat.cat/ca/occita/mostra-cinema-occitan/edicions-anteriors/.

c) to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;
From the Committee of Experts’ report on Aranese Occitan:

846. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.

847. According to the information provided in the fourth periodic report, several literary works have been translated into Aranese.

848. On the basis of the information provided in the fourth periodic report, the Committee of Experts concludes that the commitment is partially fulfilled and requests the authorities to provide information on other types of work translated into Aranese in the next periodic report.

In 2015, the agreement between the Ministry of Culture, the Catalan Guild of Cinema Professionals and the Federation of Cinematographic Distributors (FEDICINE), which began in 2011, was extended. The purpose of this agreement is to establish a network of cinema exhibition halls in Catalonia which will permanently show cinema releases dubbed in Catalan, in order to favour and increase the presence of Catalan language on cinema screens. This agreement is open to membership among the rest of the distribution and exhibition sector in Catalonia, and is in line with the objectives established in Act 20/2010, of 7 July, on cinema.

The data below is for both dubbed and subtitled films in Catalan and the budget for the 2013-2015 period. As you can see, films dubbed into Catalan have been increasing. However, films both dubbed and subtitled into Catalan have gone from 0 in 2013 to 9 in 2015. The budget for this period has been clearly improved, as can be seen in the table below.

| Subsidy of feature films dubbed and/or subtitled in Catalan. 2013-2015 |
|-----------------------------|-----|-----|-----|
| Call for subsidies          | 2013| 2014| 2015|
| Films dubbed into Catalan   | 16  | 21  | 20  |
| Films subtitled in Catalan  | 41  | 28  | 26  |
| Films dubbed and subtitled in Catalan | - | - | 9 |
| **Total**                  | **57**| **50**| **55**|

In 2016, 117 feature films were dubbed into Catalan, corresponding to more than 175 hours of material. 579 feature films were subtitled in Catalan - more than 860 hours in original version with Catalan subtitles - 379 episodes of series - more than 315 hours - and 400 short films. 70 feature films have been released from 25 distributors, 15 more than the previous year: 27 feature films dubbed and 30 subtitled in Catalan. In addition, 13 films have been dubbed and also subtitled into Catalan, four more than in 2015.

**CINC. Season of children's cinema in Catalan**

CINC is a series of children's cinema sessions that are projected in various towns in Catalonia. The Directorate-General for Language Policy promotes this programme to promote consumption of cinema in Catalan, with the collaboration of the Consortium for Language Standardisation, local institutions, cinemas and entities.

This initiative was born in Lleida and its counties in 2001, thanks to the collaboration of the Ministry of Culture with local exhibitors, and has been extended to other towns in the Catalan region. Over these years this project consolidated itself in both the number of spectators and locations. At present, a total of 45 Catalan towns are hosting the cinema sessions and over 500,000 spectators have attended the sessions since they began. The figures for the 2013-2015 period are given below.
In the table below we can see the overall upward trend of film viewers either in their original version in Catalan, dubbed into Catalan or subtitled in Catalan during the 2012-2015 period. The table also offers comparative data.

<table>
<thead>
<tr>
<th>Year</th>
<th>Audience</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>62,596</td>
<td>38</td>
</tr>
<tr>
<td>2014</td>
<td>76,395</td>
<td>39</td>
</tr>
<tr>
<td>2015</td>
<td>59,586</td>
<td>45</td>
</tr>
<tr>
<td>2016</td>
<td>60,000</td>
<td>56</td>
</tr>
</tbody>
</table>

In the previous report we gave examples of lines of subsidy from the Generalitat's Ministry of Culture, in which the use of Catalan or Occitan, Aranese in Aran, is an element that is assessed, although...
normally without taking grants into consideration. During the period covered by this report, these lines of subsidies have continued on an annual basis with an increase in the eligible areas.

e) to promote measures to ensure that the bodies responsible for organising or supporting cultural activities have staff at their disposal who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;

From the Committee of Experts’ report on Aranese Occitan:

852. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.
853. No further information was provided in the fourth periodic report.
854. The Committee of Experts is therefore not in a position to reach a conclusion on this commitment and requests the authorities to provide information in this regard in the next periodic report.

As we said in the comments on Article 10, paragraph 4, b, the legislation establishes a requirement of Catalan knowledge, as well as Aranese Occitan in Aran, for the staff assigned to territorial administrations. The recommendations of the Advisory Board for Administrative Recruitment in Catalonia also establish the use of Catalan and Aranese Occitan in administrative recruitment.

State legislation also provides for the knowledge of the relevant official languages, but in practice this is not applied. It is only considered a merit, not as a requirement, in some job openings of State personnel assigned to the region.

f) to encourage the direct participation of people who represent of the users of a given regional or minority language in providing facilities and planning cultural activities;

From the Committee of Experts’ report on Aranese Occitan:

855. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.
856. In the absence of information on the implementation of this commitment in the fourth periodic report, the Committee of Experts is not in a position to draw a conclusion on this commitment and urges the authorities to provide such information in the next periodic report.

857. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.
858. According to the fourth periodic report, all publications in Catalan or Occitan are sent to the Library of Catalonia.
859. The Committee of Experts considers this commitment to have been fulfilled.

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 each regional or minority language.
From the Committee of Experts’ report on Aranese Occitan:

860. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.
861. According to the supplementary information received from the Catalan authorities, Decree 12/2014, of January 2014, grants the Institute of Aranese Studies the status of academy and language authority on Aranese. As such, it will also be responsible for terminological research. The Centre for Catalan Language Terminology (TERMCAT) also promotes the development and dissemination of new technological terms.
862. The Committee of Experts welcomes this progress and looks forward to receiving more information on the Institute of Aranese Studies in the next periodic report.

TERMCAT Centre for Catalan Language Terminology
TERMCAT, created by the Generalitat and the Institut d'Estudis Catalans in 1985, has the mission of guaranteeing the availability of Catalan terminology in all sectors of knowledge and activity via the creation and transfer of quality instruments and resources, with the aim of servicing and maintaining a permanent dialogue with the groups involved. It also has a recognised track record internationally, and regularly participates in multilingual terminology collaboration networks. Since December 2009, the key TERMCAT processes have been recognised with the ISO 9001:2008 certification in quality management systems.

During the 2013-2016 period, work has continued on terminological standardisation, new methodologies and publications related to terminology. Thus, during this period, there have been more than 10,000 new standardised terms, more than 100 new projects. In 2016 alone, 30 new publications, more than 10,000 new terminological articles and more than 2000 terminological queries have been made. TERMCAT annually publishes its activities report, which can be consulted online. A 2016-2019 strategy has been adopted, with six key work areas:
1. Terminology Management
2. Document Management
3. Research
4. Terminological evaluation
5. Training
6. Technology and applications

Occitan language
Decree 12/2014 of the Catalan Government established the Institut d'Estudis Aranesi as an academy. The constitution process was completed in July 2015 and in 2016 it started its first activities. These include the development of lexicographic reference works in Aranese, to be used by schools whose projects were specified in 2017. It is currently being developed along with the participation of volunteers and educational centres located in Aran, which help to define the priority areas to be addressed.

Paragraph 2
With respect to territories other than those in which the regional or minority languages are traditionally used, if the number of users of a regional or minority language justifies it, the Parties undertake to allow, encourage and/or provide appropriate cultural activities and services in accordance with the preceding paragraph.

From the Committee of Experts’ report on Aranese Occitan:

863. In the third evaluation report, the Committee of Experts noted with disappointment that the Spanish authorities had not provided any information on the implementation of this commitment and requested them to do so in their next periodic report.
864. According to the fourth periodic report, the city of Lleida hosts numerous cultural initiatives related to Occitan. The Autonomous University of Barcelona holds a series of lectures on Occitan languages, literature and culture each May, as well as hosting the Occitan Archive (Arxiu Occità).

865. The Committee of Experts considers this commitment to have been fulfilled.

**Paragraph 3.**

*The Parties undertake to make appropriate provisions, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.*

**From the Committee of Experts’ report on Aranese Occitan:**

866. In the third evaluation report, the Committee of Experts considered that this commitment had been fulfilled.

867. According to the fourth periodic report, at the 7th edition of the Occitan Film Festival, the number of venues increased to 19, bringing together more than 1,000 spectators in the different Occitan-speaking regions (Catalonia, France and Italy). In addition, concerts and plays related to Aranese language and culture have been held abroad.

868. The Committee of Experts considers that this commitment continues to be fulfilled.

As we mentioned in part I of this report, the Generalitat has continued to have a prominent presence abroad to raise awareness of the Catalan language and culture.

**Catalan communities abroad**

Catalan communities abroad, officially recognised and composed of Catalans and Catalanophiles from around the world, have carried out Catalan language courses and workshops with the support of the Government. The map below shows the locations around the world where Catalan language workshops and courses have been given.
Specifically, last year (2016) 54 courses were held in the following countries:

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of organisations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>4</td>
</tr>
<tr>
<td>Argentina</td>
<td>14</td>
</tr>
<tr>
<td>Australia</td>
<td>2</td>
</tr>
<tr>
<td>Austria</td>
<td>1</td>
</tr>
<tr>
<td>Belgium</td>
<td>1</td>
</tr>
<tr>
<td>Brazil</td>
<td>2</td>
</tr>
<tr>
<td>Canada</td>
<td>1</td>
</tr>
<tr>
<td>Colombia</td>
<td>1</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>1</td>
</tr>
<tr>
<td>Cuba</td>
<td>1</td>
</tr>
<tr>
<td>Ecuador</td>
<td>2</td>
</tr>
<tr>
<td>Rest of Spain</td>
<td>6</td>
</tr>
<tr>
<td>France</td>
<td>6</td>
</tr>
<tr>
<td>Italy</td>
<td>1</td>
</tr>
<tr>
<td>Japan</td>
<td>1</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>1</td>
</tr>
<tr>
<td>Mexico</td>
<td>2</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1</td>
</tr>
<tr>
<td>Paraguay</td>
<td>1</td>
</tr>
<tr>
<td>Sweden</td>
<td>1</td>
</tr>
<tr>
<td>Switzerland</td>
<td>2</td>
</tr>
<tr>
<td>Uruguay</td>
<td>1</td>
</tr>
<tr>
<td>Chile</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>54</strong></td>
</tr>
</tbody>
</table>

As for the Institut Ramon Llull, we refer back to Part II, article 7, paragraph 1.e of this report.

**Occitan language**

According to articles 20 and 21 of Act 35/2010, of 1 October, on Occitan, Aranese in Aran, the Generalitat, within the scope of its powers, should encourage the production of newspapers and periodicals written in the Aranese variety of Occitan, and it must stimulate and promote the presence of products and information in Aranese through information and communication networks; it must protect Aran’s own language in all areas and sectors and should promote its use, dissemination and knowledge, whilst taking the necessary measures to promote its standardisation.

In compliance with these articles, the Department of Affairs and Institutional and External Relations and Transparency has ordered a total of 43 translations into Aranese to promote the language abroad.

The translations into Aranese have focused on web environments: Transparency Portal and Participa.gencat, on the weekly newsletter Noticias Actualidad Parlamentaria, and on the Actividad parlamentaria magazine, no. 29 (September 2016). They have also focused on the translation of forms, in the context of the Genetic Identification Programme. On the other hand, the Mòstra de Cinèma Occitan, organised by the General-Directorate for Language Policy, has been present in several cinema events for minority languages and cultures in Italy: in 2015 in Udine (Friuli) and Cagliari (Sardinia), and in 2016 in Salentine Greece (Puglia).
Article 13. Economic and social life

The transcript of the article corresponding to economic and social life is presented below:

*Paragraph 1.*
*With regard to economic and social activities, the Parties undertake, within the whole country:*

- a) to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages 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;
- b) to prohibit the insertion of any clauses excluding or restricting the use of regional or minority languages in internal regulations of companies and private documents, at least between users of the same language;
- c) to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;
- d) to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.

*Paragraph 2.*
*With regard to economic and social activities, the Parties undertake, insofar as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:*

- a) to include provisions in their financial and banking regulations that allow, by means of procedures compatible with commercial practice, the use of regional or minority languages in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;
- b) in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;
- c) to ensure that social care facilities such as hospitals, retirement homes and asylums offer the possibility of receiving and treating people using a regional or minority language, who are in need of care on the grounds of ill health, old age or for other reasons, in their own language;
- d) to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;
- e) to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

The article is broken down and commented on below:

*Paragraph 1.*
*With regard to economic and social activities, the Parties undertake, within the whole country:*

- a) to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages 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;

*State legislation*

In relation to article 13, paragraph 1 letter a), and generally the whole paragraph, we repeat what was stated in the section ‘Evaluation of the application of Article 13 ECRML in State regulations’, in the commentary on article 13 of our third monitoring report, and the same section of our previous report, both of which were sent to the State Administration and the latter also having been sent to the Committee of Experts.

The State continues to maintain the imposition of Spanish on labelling and in other regulations that affect both the public and private sectors. These regulations have appeared and are denounced and compiled on various web pages, like for example in the Spain legislative chronicles of the Revista de Llengua i Dret, by the Generalitat’s School of Public Administration.
Likewise, NGOs advocating the Catalan language also denounce the validity and proliferation of these state rules. It is worth mentioning the dossiers of state regulations that impose Spanish and the cases of discrimination due to the use of Catalan from the Plataforma per la Llengua entity.

Let us highlight some examples of state regulations that, when imposing Spanish, prohibit the autonomous use of the languages protected by the Charter:
- In February 2014, with the favourable votes of the PP and the PSOE, the amendment of the State Law of consumers and users was approved, so that from then on, Catalan entrepreneurs were obliged to provide information on contracts in Castilian, making it optional in other languages.
- Act 5/2014, of 4 April, on private security, imposes the knowledge of Castilian to foreigners applying to this profession.
- Order HAP/1369/2014, of 25 July, approving the basic regulation of cross betting, and amending various ministerial orders approving the basic regulation of certain games.
- Order HAP/1370/2014, of 25 July, approving the basic regulation of gambling on slot machines.

Act 20/2015, of 14 July, on the organisation, supervision and solvency of insurers and reinsurers, imposes the use of Spanish for insurers and reinsurers located in other Member States of the European Union, and who are authorised in their state of origin and want to operate in Spain, when it comes to their contractual documentation and any requirements of the Directorate-General of Insurance and Pension Funds (article 51.4). It also requires the Spanish translation of the resolution of the appointment agreement, or appointment of provisional administrators and liquidators of these types of entities, as designated by the competent authority of another Member State to perform their function in Spain (article 167.4). Again, the Spanish legislator regulates general language uses, obviating the complex regimes of official language in force in several Autonomous Communities and establishing de facto areas of official status solely to Spanish. It should be noted that the fact that the insurance legislation is an ‘exclusive competence’ of the General State Administration (Article 149.11 of the Spanish Constitution) does not enable this administration to determine at its discretion the language regime of the territory in which the institution operates, nor to restrict the institutional areas of validity of official languages other than Castilian, since one of the inherent features of linguistic official status is its indivisibility within its territorial scope of relevance. On the contrary, the central administration should also respect the language regime specific to each Autonomous Community in its regulatory activity of the matters within its competence. Needless to say, this does not occur in this law, which seeks to derive the compulsory use of only one of the official languages from the concept of official status, in contradiction to the doctrine that establishes the language regime of at least Catalonia and Aran, where Catalan and Occitan are de facto de-officialised in the regulated area, and the Catalan competence to regulate its official language is infringed.

Act 24/2015, of 24 July, on patents, imposes the use of Castilian in the applications to be filed in the Spanish Patent and Trademark Office, also in ‘the Autonomous Communities where there is another official language’, where the use of this is merely optional and, furthermore, it is not considered authentic in the case of doubts over interpretation (article 23.3).

Other provisions that impose Castilian in labelling, instructions and documentation that must be presented to the Spanish Administration:
- Royal Decree 989/2015, of 30 October, which approves the Regulation of pyrotechnic articles and cartridges (article 5.1.g, 5.3.c and i, 5.4.b, 13, 109, 113.1, 115.b, 144.2).
- Royal Decree 188/2016, of 6 May, approving the Regulation establishing the requirements for the marketing, launching and use of radio equipment, and regulating the procedure for the evaluation of compliance, market surveillance and the sanctioning regime of telecommunication equipment. It imposes Castilian in some cases.
- Royal Decree 98/2016, of 11 March, regulating the safety, technical and marketing requirements of nautical motorcycles, sports boats and their components (articles 16, 17.1, 29.2 and 5).

The State Administration not only dictates regulations that impose Spanish in the most diverse spheres and for the whole country, as seen throughout this report and our previous reports, but also challenges the Catalan regulations that try to counteract this imposition of Castilian, thus invading the language competence of the Generalitat. With these challenges, the State extends its powers to override those held by the Generalitat, as we can see throughout these reports. Of course, language aspects do not escape this invasion of competences. The regulation of these aspects by the State is always unidirectional and contrary to the application of the European Charter: Castilian is the only necessary
language and therefore other official languages cease to be so, as their presence is not sufficient. Another good example, among the many that we have discussed, is that of security guards' badges.

The ruling of the Supreme Court of 4 April 2016 prevents these badges from being written in Catalan. The Generalitat's Attorney General's Office filed an appeal against the ruling of the TSJ de Catalunya, dated 27 December 2013, which declared the Catalan Ordinance INT/15/2012, 17 January, of the Generalitat, regulating private security guards' badges, and establishing the use of Catalan on those badges to be partially void. The previous contentious appeal had been filed by the Delegation of the State Government in Catalonia, which is represented by the State Attorney. The controversy affects article 1 of the Catalan Order, which regulates the obligation for the expressions 'security guard' and 'explosives guar' on badges to be written in Catalan.

The Generalitat bases its appeal on the language competence derived from Article 6.2 of the Statute of Autonomy, which enables it to adopt provisions aimed at promoting language standardisation. In this area, it alleges that the purpose of the Order is to regulate the use of Catalan on the badges of private security guards who work in Catalonia.

The wording of Article 1 of the Catalan Order, in its second section, states that 'on the upper part of the front of the badge there must be the Catalan term 'security guard' or 'explosives guard', as appropriate. On the lower part the authorisation number must be present'. The TS rejects the Generalitat's aspirations based on its linguistic competence to regulate this question. The annulment judgment refers to the State's expansive interpretation of its jurisdiction over 'public security' in Article 149.1.29 EC, according to which it would confer 'exclusive competence to regulate the provision of security services by private companies and their personnel'. The state's execution of this competence is described below, initially through Act 23/1992, on private security, which was aimed at regulating the provision of surveillance and security services, by natural or legal persons, for persons or property, which the same Law states 'shall be considered supplementary and subordinate activities in relation to public security'. The Spanish Government subsequently approved Royal Decree 2364/1994, of 9 December, which assigns the Ministry of the Interior with the competence to specify aspects related to private security personnel in matters of training, authorisation, documentation, uniformity, means of defence and exercise of their functions, among other things. The State Order that develops this provision (Order INT/318/2011, of 1 February, on private security personnel), regulates the badge characteristics in Appendix IX, stating that '1. The badge will be oval and in landscape format, 8cm by 6cm, with a white background, corresponding to the model contained in this appendix. On the front side at the top it must read 'VIGILANTE DE SEGURIDAD' or 'VIGILANTE DE EXPLOSIVOS', and the authorisation number must be indicated on the lower part. The letters and numbers will be red'. Thus, the Order establishes that the text must be written in Spanish.

The TS has reached the point of considering that the mere literal wording of a text in Spanish in a state regulation prevents its wording in the official language of the region where it will be applied. This criterion denies the official status and protection of the relevant language as established by the legal system, denies the material and linguistic competences of the Generalitat in all areas in which the State decides to intervene and, ultimately, the State is once again ignoring the wording and spirit of the European Charter for Regional or Minority Languages.

European regulations

European legislation on the free movement of goods and services regulates the linguistic aspects with the expression 'official languages of the Union' or similar. We refer to what was discussed in part I under the heading 'Catalan and the European Union', in our previous reports and in this one. However, we must also emphasise the serious drawbacks that this expression brings against the Catalan language, as well as in economic and social life.

\[d)\] to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.

From the Committee of Experts’ report on Aranese Occitan:
869. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this undertaking and requested the Spanish authorities to submit specific information in this regard in the next periodic report.

870. According to the fourth periodic report, article 26 of Act 35/2010 on Occitan, Aranese in Aran, provides for measures to promote Aranese in the socio-economic sphere. In particular, the Catalan Government, the General Council of Aran and local authorities and public administrations must ensure the application of this article, which aims to guarantee and promote the use of Aranese in all activities of socio-economic life by consumers and users, as well as in the provision of social services (hospitals, nursing homes, asylums, etc.) and public signage. In addition, it encourages the inclusion of language clauses in the provision of grants and subsidies to companies or entities located in Aran, as well as to the possible elaboration of new agreements.

871. The Committee of Experts considers that this commitment has been formally fulfilled and requests more information on how this law is implemented.

Actions by the Catalan Government

The Generalitat continues to work to ensure the presence and use of Catalan in the socio-economic sphere.

With the aim of extending the use of Catalan in the social sphere, especially to those people who have spent less time in Catalonia, language training has intensified among the population from different departments of the Generalitat.

Thus, in the regulatory framework of Act 10/2010, of 7 May, on the reception of immigrants and returnees to Catalonia, emphasis has been placed on promoting the Catalan language in the social sphere. In order to fulfil the objective of making Catalan the public language shared in the public space, training courses were taught in three modules: A module on Catalan and knowledge of Catalan society, a module on work training and a module consisting in internships in companies of the chosen sector. In this way, the social sphere is linked to the workplace. These internships have continued throughout 2013-2016, and continue to be carried out today.

Teaching literacy in Catalan to adults

The Generalitat carries out literacy activities in Catalan for adults of foreign origin who do not know how to read or write and who may not be able to attend adult training centres and classrooms. The goal is to reach the minimum level for attending the initial Catalan courses of the Consortium for Language Standardisation.

With these activities, the final objective is to promote the use of Catalan via conversation groups, and sessions on the local surroundings, Catalan society and culture, among other possible activities.

The Generalitat's Department of Civic Action works intensely on the education and promotion of Catalan in the social sphere. Thus, during the 2013-2016 period, specific activities for these purposes were carried out: Catalan conversation groups focused on current topics, films, books, radio debates, etc., and Catalan literature workshops.

Social revitalisation activities have also been carried out, the main purpose of which is to shape the community to promote social cohesion, promoting the transfer of civil values that improve quality of life and access to community services and resources. Although the main goal of these actions is not to teach Catalan, the characteristics of the neighbourhoods where the activities take place require an element of linguistic awareness.

Ómnia Programme

A programme of social inclusion using information and communication technologies. The vehicular language for this programme is Catalan. Although there are no strict language learning classes or workshops, there are many activities that promote the use of Catalan as an instrument of social integration and prevention of social exclusion: socio-cultural activities in the area, specific social and labour insertion activities, basic digital literacy, use of word processing, learning how to make digital presentations, training in block creation and audio and music editing.
The dynamism of Catalan in social networks

In addition to the number of potential speakers, Catalan also shows a dynamism and use on social networks that makes it a very active language in this area. The data shows a growing consumption of web pages in Catalan. Thus, in 2015, 54.5% of the population that used the Internet visited pages in Catalan, 89.1% did so in Spanish and 29.0% did so in other languages. With respect to 2014, the consumption of websites in Catalan has increased by 7 percentage points; consumption in other languages 9 percentage points; and Castilian has also continued to rise. The fact that Internet searches are more multilingual made the percentage of all languages increase in 2015.

The following chart shows the evolution of the Catalan language during the 2013-2015 period, in addition to data for Spanish and other languages. In the case of Catalan, there is a notable increase in its use online, from 37.6% in 2014 to 54.4% in 2015. In 2016, it rose to 56.6%.

If we compare this data with that of Catalan presence on other social networks, instant messaging platforms and applications, we can see that there has also been a constant and growing tendency to use Catalan.
In 2016 the situation was as follows:

**The Fundació puntCAT**

The Fundació puntCAT promotes all types of activities related to the creation, management and control of .cat domain names and, in general, the promotion of Catalan language and culture in the area of Internet and information technologies.

The Fundació puntCAT has been part of the Census of entities promoting the Catalan language since 2013, and has received the support of the Directorate-General for Language Policy for several projects.
‘Webs al puntCAT’. Contest for the social promotion of Catalan language in new technologies among young people

‘Webs al puntCAT’ is a competition aimed at secondary school, baccalaureate and professional studies students consisting of creating websites in Catalan. The contest aims to promote the knowledge of new technologies, participant creativity and the correct use of Catalan. A board of specialists from the world of education and IT determines the winning entries for each of the contest’s categories. Subsequently, the best projects participate in the international Dot Award competition, which recognises the best websites designed for young people annually. The contest only accepts websites developed academically for groups of 2 to 5 students who are supervised by tutors from their school.

Comerç.cat programme, promoting Catalan in SMEs

The comerçlocal.cat project is an initiative of the Fundació puntCAT, whose aim is to increase the number of businesses in Catalonia with websites in Catalan and with a .cat domain. Currently, only 3 out of 10 companies with fewer than 10 employees have websites.

The Directorate-General for Language Policy collaborates in this digital training programme, which is also supported by the departments of the Presidency and Business and Knowledge. Comerçlocal is aimed at small businesses in Catalonia, with the aim of projecting their business online and in Catalan. The Fundació puntCAT creates a free website in Catalan for businesses who acquire a .cat domain.

Català i empresa, ja estàs al dia?

The Generalitat has created the Català i empresa, ja estàs al dia? programme. The aim is to provide language assistance to any company that wants it, and is related to customer service, business opportunities, quality service, market language, etc. In this space, companies can also take a test to see if they are up to date on the availability of Catalan, regulatory provisions that regulate it or a series of grants for business organisations and company projects to increase the supply of products and services in Catalan and encourage its use. All this information is available online.

8 raons perquè l’empresa parli català (8 reasons for the company to speak Catalan)

This is an awareness programme for language and business, which is part of the government’s support for the promotion and use of Catalan in business.

As mentioned before, this programme aims to increase the use of the Catalan language in business, to increase the offer of products and services in Catalan and to guarantee consumer language rights.

The programme presents Catalan as a language of trade; modern, competitive and a necessary tool for quality service. Eight reasons are given for companies to sell in Catalan.

The campaign is aimed primarily at business organisations, professional associations and colleges, trade union organisations, consumer organisations, MBA faculties and business schools, as well as associations, local authorities, vocational training centres and other entities and institutions.

In 2015 the Consortium for Language Standardisation created the Lengua y Empresa newsletter, whose aim is to provide monthly reports on any news related to Catalan and the business world. It can be consulted at the following link: http://www.cpnl.cat/noticies/14761/primer-numero-del-butlleti-lengua-i-enterp-esa-del-cpnl

The Consortium for Language Standardisation has established more than 150 service points and has so far collaborated with more than 500 companies for linguistic advice, becoming the reference body in Catalonia for training and assessment in relation to the Catalan language.

**Paragraph 2.**

**With regard to economic and social activities, the Parties undertake, insofar as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:**

* a) to include provisions in their financial and banking regulations that allow, by means of procedures compatible with commercial practice, the use of regional or minority languages
in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;

From the Committee of Experts’ report on Aranese Occitan:

872. As the Spanish authorities did not provide any information in the third evaluation report on implementing this commitment, the Committee of Experts asked them to explain this implementation in the next periodic report.
873. No further information was provided in the fourth periodic report.
874. The Committee of Experts is not in a position to draw a conclusion and requests the Spanish authorities to provide information on the practical implementation of this undertaking in the next periodic report.

b) in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;

From the Committee of Experts’ report on Aranese Occitan:

875. As the Spanish authorities did not provide any information in the third evaluation report on implementing this commitment, the Committee of Experts asked them to explain this implementation in the next periodic report.
876. No further information was provided in the fourth periodic report.
877. The Committee of Experts is not in a position to draw a conclusion and requests the Spanish authorities to provide information on the practical implementation of this undertaking in the next periodic report.

c) to ensure that social care facilities such as hospitals, retirement homes and asylums offer the possibility of receiving and treating people using a regional or minority language, who are in need of care on the grounds of ill health, old age or for other reasons, in their own language;

The Administration of the Generalitat has continued to promote the language in the area of Health care. The ‘Take the pulse of Catalan’ campaign was created, offering language resources so that medical professionals arriving in the region have the tools and resources needed to foster a positive attitude towards the use of Catalan. Catalan courses in this area can be accessed via the Consortium for Language Standardisation.

Also, Termcat (the Centre for Catalan Terminology) has created basic lexicons of various health branches and an encyclopaedic dictionary of medicine in Catalan (demcat.cat)

Likewise, the 42 language partners - almost twice as many as the previous year - in 6 health centres or services to ensure the knowledge of Catalan in daily use in the medical/health sphere.

This fact supplements certain weaknesses detected in the previous report, which mentioned that ‘During the field visit, the speakers’ representatives drew the Committee of Experts’ attention to the fact that in some sectors, especially in the area of elderly health care, services in Catalan must be improved’.

The aim of the Generalitat is, therefore, that all users of Catalan health care must be seen to in Catalan if they so require.

d) to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;
From the Committee of Experts’ report on Aranese Occitan:

881. As the Spanish authorities did not provide any information in the third evaluation report on implementing this commitment, the Committee of Experts asked them to explain this implementation in the next periodic report.
882. No further information was provided in the fourth periodic report.
883. The Committee of Experts is therefore not in a position to reach a conclusion on this commitment and requests the authorities to provide information in this regard in the next periodic report.

Several Catalan regulations that enforce the use of Catalan in matters of safety are still in force. The most important is Act 22/2010, of 20 July, on the Consumer Code of Catalonia, discussed in our previous report and already mentioned in the Committee of Experts’ report from the third period. We understand that, in addition to challenging the language provisions of the Consumer Code, the numerous state provisions that impose a mandatory use of Castilian also interfere to the detriment of these regulations. We have already been mentioning these in our reports. For example, see paragraph 1, letter a), herein, where we refer to Royal State Decree 98/2016.

e) to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

From the Committee of Experts’ report on Aranese Occitan:

884. In the third evaluation report, the Committee of Experts concluded that the commitment was formally fulfilled and requested the authorities to report examples of the implementation of this commitment in their next evaluation.
885. In the fourth periodic report, the authorities refer to article 26 of Act 35/2010 on Occitan, Aranese in Aran, which establishes language obligations to ensure that the language rights of consumers and users are met. However, this commitment refers to consumer information provided in the Aranese language.
886. The Committee of Experts maintains its previous conclusion that this commitment is formally fulfilled and requests the authorities to provide more specific information on the practical application of the law in the next periodic report.

The Administration of the Generalitat has continued to collaborate with numerous associations and entities to promote the use of Catalan in the socio-economic sphere and to build awareness around the language rights of consumers.

This line of action is part of the Catalan Consumer Agency changes presented in 2011 with the new Consumer Code of Catalonia (information on the approval and official publication of the new Code can be found in other sections of the document), through briefings carried out with the main business organisations. The objective was to explain the content of the new law and to assess companies on how they can adapt their businesses.

During the 2013-2016 period, the Catalan Consumer Agency has continued to create a business network characterised by its quality and excellence in customer service, and by guaranteeing the rights of consumers. Thus, there is a section on attention and assessment regarding consumer language rights on the website: http://www.consum.cat/temes_de_consum/drets_linguistics/

Aranese Occitan language
In accordance with the provisions of article 128-1 of Catalan Act 22/2010, on the consumer code, the Generalitat must also ensure the promotion of consumer relations in the use of the Aranese Occitan language (article 128-1.3). On the other hand, we must remember the provisions of article 23 of Act 35/2010, on Occitan, which establishes a mandate for the public authorities to guarantee language rights in Aranese, whilst providing multiple potential promotional measures, such as agreements, subsidies or tax rebates.
Again, we must refer to Catalan Act 1/2015, on the special regime for Aran, which includes new precepts that allow for the different administrations’ areas of responsibility to be better defined.

On the one hand, Article 9 of the Act reinforces the legal protection of the language rights already included in the Statute of Autonomy (2006), and the previously mentioned Act 35/2010. More specifically, it establishes that, in Aran, all persons have the right to be attended to orally and in writing in Aranese, as users or consumers. On the other hand, article 23 of the same Act 1/2015 establishes that it is incumbent upon the Conselh Generau d'Aran to defend the rights and legitimate interests of consumers and users.
ARTICLE 14. CROSS-BORDER EXCHANGES

The article is transcribed below, followed by the corresponding comments:

Paragraph 1.
The Parties undertake:

a) To apply existing bilateral and multilateral agreements that bind them with States in which the same language is used in an identical or similar way, or, if necessary, to establish such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and life-long education;

b) For the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in an identical or similar way.

From the Committee of Experts’ report on Aranese Occitan:

887. In the third evaluation report, the Committee of Experts was not in a position to reach a conclusion on this commitment.
888. No further information was provided in the fourth periodic report.
889. The Committee of Experts is still unable to reach a conclusion on this undertaking and requests the Spanish authorities to provide specific information on the results of the aforementioned agreements.

Inter-territorial and cross-border actions

The 2015 regional elections represented a substantial change in cross-border cooperation between the different territories of the Catalan language. As explained in part II of this report, there have been improvements in the creation of common media, in terms of the recognition of degrees in the same language space, in terms of the unity of the language - called Valencian in Valencia - among many other elements of cooperation.

Since the new governments in Catalan-language territories took office in 2015, the relationship between them has intensified, leading to an improvement in communication, language unity, and in the linguistic structure of a region that shares cultural and linguistic ties in spite of administrative divisions.

There are many examples of this structuring and cooperation between the different regions, especially since May 2015. Among many others, we can highlight the following examples:

1. A drive to carry out a study on the social use of Catalan in Northern Catalonia. In 2016 the Catalan Government approved the signing of the collaboration agreement with the Departmental Council of the Pyrénées-Orientales and the University of Perpignan, with a view to carry out said study.

The agreement aims to establish the terms of methodological cooperation, information exchange and technical agreements needed to study and analyse the sociolinguistic data collected in 2015 for the Survey of Linguistic Uses (EUL) in Northern Catalonia. It also guarantees a subsequent comparison with the results of previous surveys and sociolinguistic studies carried out in the same territory. The final objective of the study is to achieve on-going sociolinguistic evaluation to build up awareness of language uses in Northern Catalonia.

The University of Perpignan aims to conduct research in the area of social sciences. It has the Cross-Border Franco-Catalan Institute, an organisation through which it collaborates with institutions from the Catalan cultural sphere and undertakes research, study and promotion of the Catalan language.
2. The IV Conference on Language and Society of the Catalan Language Territories, in which representatives of all the Catalan-speaking governments - Catalonia, Valencia, Balearic Islands, Aragon and also in other states such as southern France (Catalunya Nord) or the historically Catalan-speaking city of Alghero (in Catalan, L’Alguer) in Sardinia (Italy) - were brought together under the coordination of the Government of Catalonia’s Directorate-General for Language Policy. The purpose of the encounter was to promote language as a means of social cohesion, territorial structuring and as bridge between administratively divided regions. The objective is to promote Catalan and Balearic linguistic and cultural space with the aim of demonstrating an imperative need for collaboration between the different administrations to promote the common language. More information can be found through this link: http://premsa.gencat.cat/pres_fsvp/AppJava/cultura/notapremsawv/294135/ca/conseller-santii-vila-obre-iv-jornada-llengua-societat-territoris-parla-catalana-crida-construir-nous-espais-collaboracio.do

3. The collaboration of the Catalan Government with all Catalan-language territories, started in 2013 and intensified after 2015, with a view to build awareness around the situation of Catalan throughout the entire language area. More information can be found at this link: http://premsa.gencat.cat/pres_fsvp/AppJava/cultura/notapremsawv/296183/ca/govern-collabora-universitat-illes-balears-lanalsi-situacio-catala.do

4. Recognition and standardisation of the certification that proves knowledge of Catalan language throughout the language area. For the first time, representatives of the Catalan, Valencian and Balearic governments have been working on mutually recognising the degrees awarded by each community certifying knowledge of the Catalan language, called Valencian in Valencia. Once again, this demonstrates an imperative need for collaboration between the different administrations to promote the common language. More information can be found at the following link: http://llengua.gencat.cat/ca/details/noticia/Ester-Franquesa-Marta-Fuxa-i-Ruben-Trenzano-debatran-lhomologacio-dels-titols-de-coneixements-de-llengua-catalana-arreu-del-domini-linguistic

5. Recognising the unity of the language. Those responsible for the language policy of the Catalan, Valencian and Balearic governments have intensified their relationship to work jointly on adopting single versions of administrative and legal texts, and on translations of State and European legislation. The objective is to cooperate in favour of their common language, Catalan, and also to be more efficient with public resources, avoiding the language gap that had previously occurred. More information can be found at the following link: https://www.diarilaveu.com/noticia/23161/pais-valencia-catalunya-i-les-illes-es-comprometen-a-promoure-lus-de-la-llengua

6. Standardised, fluid and constant cooperation in Catalan-speaking regions. Much more recently, on 20 June 2017, the three language and culture ministers from the Generalitat de Catalunya, Generalitat Valenciana and the Government of the Balearic Islands came together to pay tribute to Catalan-language essayist, writer and thinker, Joan Fuster (from Valencia). Institutional normality has gradually been woven into a common linguistic and cultural space with the aim of re-establishing the non-existent cooperation with the previous People’s Party government.

The main aim of all this cooperation is to remedy the lack of cooperation during the period that the People’s Party governed in Valencia and the Balearic Islands. This emerged from the recommendations in previous reports by the Council of Europe.

In addition to this cooperation in the area of Catalan language, the Generalitat’s Directorate-General for Language Policy continues to be part of the European Network to Promote Language Diversity (NPLD) as a founding and full member.

Regressive policies
The regressive policies against language unity, applied in the regions governed by the People’s Party until 2015, prevented the expansion of interregional collaborations between Catalan-language speakers. The public authorities sought to present a fragmented linguistic reality and to isolate the speakers, which entailed changing the legal name of the language to the achronym ‘LAPAO’ in Aragon, and ending the broadcasting of TV3 in Valencia. These efforts clashed with article 7 of the European Charter for Regional or Minority Languages, which orders for contacts across administrative borders.
between speakers of an equal or similar language to be promoted. However, attempts at political obstructionism have not damaged the continuity of certain dynamics of communication and collaboration between different Catalan-speaking territories.

The political institutions of Catalonia expressed their concern for the socio-political regression of the Catalan language in other regions where it is spoken, and denounced the actions against the unity of Catalan through various parliamentary resolutions: in Aragon, Resolution 500, on the promotion of unity and the proper names of the Catalan language (proc. 250-00.431 / 10, adopted by the Plenary Session of the Catalan Parliament in session no. 10, of 30 January 2014) and Resolution 501/X of the same Parliament, rejecting improper names of the Catalan language and promoting the use and prestige of Catalan in Aragon, where the Generalitat is under pressure to ask the Government of Aragon to consider the Catalan heritage of Aragon and common heritage with other Catalan-speaking (also urging it to take the appropriate measures). As for the Balearic Islands, we saw Resolution 589/X of the Catalan Parliament, on the Catalan language in non-university teaching centres in the Balearic Islands, where the Government is urged to express its rejection of Balearic Decree 15/2013, of 19 April, as it negatively affects the survival of Catalan and does not contribute to improving students' language competences; as well as Balearic Law 9/2013, of 23 December, on the use of institutional symbols in the Balearic Islands, as they go against freedom of expression and seek to erase common signs of identity. A similar concern for new attempts at language fragmentation was expressed by the PEN International Assembly of Delegates, meeting at the 80th World Congress held in Bishkek, Kyrgyzstan, from 29 September to 2 October 2014. See the text of the resolution adopted by PEN International at http://llengua.gencat.cat/web/.content/documents/catdeclaracions/arxius/resolucio_pen_catala_pen_internacional.pdf.

State legislative obstacles
In the realm of state regulation, it is worth commenting on Act 2/2014, of 25 March, on the actions and foreign service of the State. The preamble of the regulation emphasises the importance of Spanish as a common language in all Ibero-American countries. In terms of foreign action, several mentions are made to language that could impact Catalan. This includes foreign action in educational matters, aimed at the promotion and diffusion of Castilian and ‘other Spanish languages’, or actions taken by the Instituto Cervantes, which ‘contributes to disseminating ‘Castilian’ culture and language abroad, in coordination with the other competent bodies of the General State Administration, and in collaboration with the Autonomous Communities, without prejudice to the promotion of other co-official Spanish languages’ (Ninth additional provision). However, the last statement already proves that foreign dissemination of ‘the other official languages’ will be more incidental than real.