

Us merkteken: 2010-009

**Gearfetting passazjes oer it Frysk yn it earste rapport fan it Advisory Committee oer de ymplementaasje fan it Ramtferdrach Nasjonale Minderheden yn Nederlân.
Ordene per ûnderwerp.**

Ynlieding

Dit is it earste rapport fan it Advisory Committee (AC) oer de ymplementaasje fan it Ramtferdrach yn Nederlân.

Hjirûnder wurde in pear relevante passazjes oer it Frysk útsplitst per ûnderwerp. Ek binne der in tal algemiene opmerkingen. Guon saken binne wat dûbelop, dat komt omdat it AC faak dingen werhellet. Opfallend is dat der yn de measte gefallen opropen wurdt ta mear dialooch tusken de de lanlike oerheid en de provinsje en oare Fryske organisaasjes.

Algemien

Meardere kearen neamd: "The overall tone of the public discourse in the Netherlands and the new integration policy, with its particular focus on the preservation of the Dutch identity, have had negative consequences on the preservation of a climate of mutual understanding between the majority population and the ethnic minorities".

37. The AC notes that as a result, the authorities are now addressing integration issues mainly through the objective of protecting Dutch national identity, rather than approaching it as a two-way process whereby both majority and minority populations learn from each other.

96. The AC considers that the overall tone of public discourse in the Netherlands and the new integration policy, with its particular focus on the preservation of the Dutch identity, are not conducive to the creation of a climate of mutual understanding between majority population and ethnic minorities.

8. The AC notes that consultations on the State Report could have been more inclusive

93. It finds that interest was expressed by Frisian representatives in collecting data on persons identifying themselves as Frisians and it considers that this should be further discussed with those who are supportive of collecting such data.

Bewustwurding en hâlding Nederlânske regear

9. The AC encourages the national authorities to take further measures to improve awareness of the Framework Convention among the Dutch society as a whole.

12. The AC encourages the authorities to make the present opinion public upon its receipt in order to promote an inclusive and transparent process and stimulate a national debate on the protection of national minorities and integration issues.

80. The AC welcomes the fact that the Board (KO) has taken a proactive role in this respect, especially with regard to issues relating to teaching of and use of Frisian, albeit its recommendations have not always given all due attention by central authorities.

82. The AC is disappointed to note that the national authorities have not provided the relevant advisory boards with adequate conditions to contribute to the State Report and it is therefore of the opinion that there is scope for improvement in this respect.

109. The AC considers that in the future, sufficient time should be given to these bodies (KO) in order to contribute to the State Report under the Framework Convention.

Desintraalisaasje

13. The AC notes that in the Netherlands, the preservation and further development of Frisian language and culture is a shared responsibility of the central government and the province of Fryslân.

Irrespective of the solution found, the AC wishes to highlight that national authorities should remain committed to their general responsibility resulting from their national obligations and ensure that adequate measures are taken to implement the Framework Convention.
(doelend op desintraalisaasje)

34. In this context (desintraalisaasje) due attention should be paid not to reduce support to Frisian cultural organisations in the future.

85. The AC expects that the result of this work (desintraalisaasje) will further contribute to the preservation and development of Frisian language, culture and the media. It further recommends levels be clearly defined in the legislation and that the financial implications of decentralisation are duly taken into account.

95. The AC considers that the current discussions on increased decentralisation of competences in this field should ensure that appropriate resources are allocated to the provincial authorities to carry out their tasks.

103. In this context, it considers that current discussions on decentralisation should ensure that adequate conditions, including financial ones are maintained for Omrop Fryslân, to effectively fulfil its functions.

110. It considers that the outcome of this work (desintraalisaasje) should further contribute to the preservation and development of Frisian language and culture and that the respective competences at central and local levels should be clearly defined in legislation.

111. The AC finds that in parallel to plans for decentralisation, a redrawing of municipal boundaries is being discussed and it considers that adequate consultations should be held with the persons concerned.

Diskriminaasje

28. The AC notes that the Netherlands has a well developed legislative and institutional framework to combat discrimination

94. It considers that the authorities should pursue their efforts in this field, including by ensuring that adequate funds are made available for the various anti-discrimination bodies set up to function effectively.

Media

60. The AC notes with regret that it does not enjoy an increased level of support from national authorities to fulfil the additional tasks implied by broadcasting in a minority language.

61. The AC notes that such a situation has been largely compensated by the provincial authorities' financial commitment to the production of additional programmes in Frisian language.

The AC considers that Omrop Fryslân acquired an important role in promoting the Frisian language and that the national authorities should pay due attention to maintaining conditions, in particular financial ones which would enable Omrop Fryslân to effectively fulfil its functions.

62. The AC notes with regret that no use is made of Frisian in regional private broadcasts.

Bestjoerlike autoriteiten

66. In this context (dat minsken faak tinke dat it Frysk net passend is yn formele situaases) the AC welcomes the creative and continuous awareness raising efforts already made by the provincial authorities to encourage persons to use Frisian in relations with administrative and judicial authorities.

The AC encourages the authorities in their efforts to further expand the use of Frisian within the local administration and regularly monitor the situation.

68. While welcoming these measures, the AC finds that achieving an increased use of Frisian in relations with administrative authorities would benefit from a more proactive attitude from national authorities in those matters.

In addition, the AC is of the opinion that national authorities should also ensure that conditions are in place for the enforceability of the existing linguistic provisions. ... it considers that this situation merits to be followed-up by national authorities.

104. It considers that achieving an increased use of Frisian would benefit from a proactive attitude by national authorities. The AC also considers that the authorities should adopt the necessary regulations to allow the use of Frisian in relations with representations of central administrative authorities in the Province of Fryslân.

Frysk yn de Grûnwet

69. The AC underlines that any future constitutional protection given to the Dutch language should be respectful of the right of persons belonging to national minorities to use their languages as prescribed by articles 10 to 14 of the Framework Convention.

Underwiis

In prinsipe hat Nederlân 'commendable efforts' makke mei de ymplementaasje fan it ferdrach. Mar: "Further efforts are however needed in terms of teacher training, supervision of Friesian teaching and the amount of teaching in Frisian needs to be further discussed with Frisian representatives in order to adequately meet their demands.

74. It calls on the authorities to take into account the demands expressed by the Frisian minority in this respect and expects that a mutually acceptable solution that is in line with article 14 paragraph 2. of the Framework Convention. (amount of Frisian teaching)

77. The AC is of the opinion that the authorities should look at ways to provide further incentives for primary and secondary school teachers to make use of the existing training arrangements in order to obtain qualifications in Frisian language teaching.

78. The AC encourages the Dutch authorities to increase their efforts in order to fill the existing gaps regarding Frisian teacher training for preschool teachers in Frisian.

79. The AC encourages the authorities to discuss this issue (ynspeksje) with the relevant organisations working for the promotion of Frisian language and culture with a view to enhancing the supervision made by the Education Inspectorate.

106. The AC finds that, in the absence of specific regulation, the definition of what constitutes an adequate amount of teaching in Frisian is subject to disagreement between the authorities and representatives of the Frisian minority. The AC considers that the authorities should pay due attention to the demands expressed by the Frisian minority.

107. The AC considers that the authorities should continue their support to trilingual schooling.

108. The AC considers that the authorities should envisage further incentives for primary and secondary school teachers to use the arrangements made. It further finds that teacher training in Frisian for pre-schools has not been regulated yet and it considers that the authorities should address this shortcoming.

Utwiksels oer de grins

112. The AC finds that interest was expressed by Frisian organisations to formalise such cooperation through the adoption of a treaty and it considers that the authorities should discuss further the issue with these organisations.