It is however up to the Member States, after consultation with the social partners, to determine under what conditions fixed-term employment contracts or relationships shall be regarded as successive as well as deemed to be contracts or relationships of indefinite duration.


(2002/C160E/274) WRITTEN QUESTION P-0395/02
by Nelly Maes (Verts/ALE) to the Commission
(8 February 2002)

Subject: Brittany in France

With respect to certain provisions connected, for example, with the environment or the law, Europe has reminded France of its Community obligations and that it has to apply domestically what it has signed up to. And rightly so! With regard to regional and minority cultures, however, no such reminder has yet been given, despite the flagrant bad faith, not to say Jacobin arrogance, that France shows in wanting to stifle the diversity of its cultures and peoples.

What measures will Europe take to require this founder member of the European Union to implement the texts which it has signed?

Does Europe take the view that France's attitude towards its minorities is compatible with all the provisions of the Human Rights Convention and of the Charter of Fundamental Freedoms?

What measures will Europe take to prevent the early disappearance — in the next decade — of the Breton language — the last surviving Celtic language on the continent of Europe — and culture, now that the Bretons have exhausted all the legal avenues open to them?

Answer given by Mrs Reding on behalf of the Commission
(11 March 2002)

In the Commission's opinion, the rights of persons belonging to minorities are part of the principles common to the Member States, listed in the first paragraph of Article 6 of the Treaty on the European Union. These principles, which have been set out in various international conventions (1), have been solemnly reaffirmed by the Charter of Fundamental Rights of the European Union (2). Article 21(1) prohibits any discrimination based, among other things, on ethnic origin, language, religion or membership of a national minority, and Article 22 requires that the Union respect cultural, religious and linguistic diversity. Article 51 of the same instrument specifies that the provisions of the Charter 'are addressed to the institutions and bodies of the Union with due regard for the principle of subsidiarity and to the Member States only when they are implementing Union law'.

These principles are enforced by means of the infringement proceedings provided for in Article 226 of the EC Treaty and by the political procedure laid down in Article 7 of the Treaty on the European Union. Under the former, the Commission may bring the matter before the Court of Justice if the complaint comes within the scope of Community law; this is notably the case where the Member State does not transpose a Community directive correctly. Under the latter, if there is a serious or persistent breach of the principles mentioned in Article 6, the Commission or one third of the Member States may refer the matter to the Council, meeting in the composition of the Heads of State or Government.

Concerning the treatment of minority language communities in France, the Commission has no information suggesting that Community law has been wrongly applied or implying the existence of a serious and persistent breach within the meaning of Article 7 of the Treaty on the European Union.
Article 2 of the French constitution provides that 'the language of the Republic is French', and the Constitutional Council has traditionally adopted a strict interpretation of this provision where regional or minority languages are concerned. In a recent case involving a government plan to integrate the Breton-medium Diwan schools into the public education system, it ruled that there is no constitutional impediment to the scheme, provided that neither the pupils nor the teachers are obliged to use Breton in the life of the school or in the teaching and learning of subjects other than the language itself.

However, it should be pointed out that in the area of education, Article 149 of the EC Treaty states very clearly that the content of teaching and the organisation of education systems and their cultural and linguistic diversity are the responsibility of the Member States.

The Union acts within the limits of its powers under the Treaties to safeguard the diversity of languages used in Europe, particularly in the areas of culture and education. In keeping with Article 151(4) of the EC Treaty, which states that cultural aspects must be taken into account in all activities of the Union, many projects involving regional and minority languages have been financed under a variety of Community programmes in such policy areas as regional and rural development, information society and social policy.

Following the Council Resolution of 29 November 2001 on linguistic diversity and language learning and the Parliament Resolution of 13 December 2001 on regional and lesser-used European languages, the Commission intends to build on the results of the European Year of Languages in order to come forward in 2003 with concrete proposals for actions to promote linguistic and language learning.

(1) See, for example, the United Nations (UN) International Covenant on Civil and Political Rights, Article 27 of which protects the cultural life and languages of persons belonging to minorities. The Covenant has been ratified by all the Member States.

WRITTEN QUESTION P-0398/02
by Rodi Kratsa-Tsagaropoulou (PPE-DE) to the Commission
(11 February 2002)

Subject: The myth of Icarus and European cultural policy

The forthcoming production of ‘Icarus’ by British director Peter Greenaway does not mention the island of Icaria onto which Icarus fell and where he was buried, according to the ancient myth of the fall of Icarus. This has caused considerable indignation among the island’s residents and the Greek public in general.

The fact that this production is funded by Cultural Olympiad resources prompts concerns and doubts over the content and aims of its cultural policy and its capacity to protect and promote the particular cultural heritages of different peoples.

What is the European Union’s financial and political contribution to the Cultural Olympiad programmes? What is the Commission’s view of the above information and how does it intend to react?

Answer given by Mrs Reding on behalf of the Commission
(22 March 2002)

The Commission does not in any way censor works produced with the support of national Ministries. Moreover, the Commission does not finance the Cultural Olympiad programmes and cannot therefore comment on the omission referred to in the British director’s production.