

**PLATA  
FORMA  
PER LA  
LLENGUA**

**L'ONG del català**

**37 new serious cases of  
linguistic discrimination  
in the public  
administrations in Spain**

**“If you adress me in Catalan I’ll suspend the proceedings”**

**CASTRATED LANGUAGE RIGHTS IN EUROPE**

**(July 2013 - December 2015)**

**Title:** The Catalan Case II. Thirty-seven new serious cases of linguistic discrimination in the public administrations in Spain. "If you address me in Catalan I'll suspend the proceedings". Castrated language rights in Europe.

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## Barcelona, 11 September, 1924

*Note: this story includes a conversations that takes place in two languages: the police officers speak Spanish at all times, while Mr. Valls and Gaudí answer in Catalan.*

At 8.05 on the morning of 11 September, 1924, Mr. Valls, as he entered the church of Sant Just, was stopped by a police officer, who asked him<sup>1</sup>:

"Where are you going?"

"I'm going to mass".

"You can't go in here. If you want to go to mass, you'll have to go to another church".

"But I want to hear mass in this church, Sant Just".

"Well, you can't go through this door. Try the other door".

Mr. Valls went to the other door in carrer de la Ciutat, where another policeman refused him entry, and a short discussion ensued. Just at that moment, Mr. Gaudí arrived, and resolutely tried to enter the church. The policeman stopped him, asking:

"Where are you going?"

"I'm going to mass".

"You can't go in here".

"Yes I can".

"You can't go in!" And he grabbed him by the arm.

"Why have you seized my arm?"

"Move on".

Mr. Valls interceded on Mr. Gaudí's behalf. Both of them were arrested and taken to the police station in Regomir square. When the police officer presented the detainees, he accused them of insulting him, whereupon Mr Gaudí said:

"That is a lie, I didn't insult anyone".

"Shut your mouth!"

"I am neither obliged to nor have any intention of shutting my mouth. Tell the truth and I will shut my mouth".

"Shut up and sit down".

He was questioned by four police officers: one asked the questions, another one wrote down the answers, another one talked to the one asking the questions, and another watched the one writing down the replies.

"What is your name?"

"Antoni Gaudí".

"How old are you?"

"71".

"Profession?"

"Architect".

"Well, considering your profession you should speak Spanish..."

"As an architect I am obliged to pay my taxes, which I do, but not to stop speaking my own language".

"What was your father's name?"

"Francesc Gaudí."

"What is this Francesc word?" (the policeman wants Gaudí to say his father's name in Spanish)

One of the four policemen who was helping the policeman asking the questions said to Mr Gaudí:

"If you were not so old I would punch your lights out, you shameful pig!"

"I haven't insulted you but you are insulting me. I am speaking my own language..."

"If you weren't so old..."

"Don't insult me, you have no right".

<sup>1</sup> Crexell, Joan. *Arrest of Gaudí on September 11, 1924*. Serra d'or (1987, September), 335, pages 17-19. Available online at: <http://contraelcatala.blogspot.com.es/> Query: 07-07-2015

## SUMARI

1. Introduction.....	4
2. Four centuries of persecution of Catalan language: setting the scene .....	7
3. Linguistic legislation and citizens' linguistic rights .....	17
4. Methodology.....	45
5. Compilation of linguistic discrimination cases: July 2013 - June 2015 .....	50
37 (87). Un portaveu comarcal de Joves amb Compromís retingut per la Policia per parlar en valencià .....	<b>Error! No s'ha definit el marcador.</b>
Casos anteriors (període març 2007-juny2013).....	87
6. The application of Spanish law is also discriminatory.....	94
6. Anàlisi dels casos de discriminació lingüística .....	98
Territorial Analysis.....	98
Type of administration.....	99
Evolution over Time .....	102
Physical assaults.....	104
8. Conclusions.....	106

# 1. Introduction

Almost 40 years on from the end of Franco's dictatorship, and more than 30 years after Catalan became an official language in Catalonia, the Balearic Islands and the Valencian Country, **there continue to be numerous cases of discrimination against people and groups that use or speak Catalan in their everyday dealings with the Spanish administrations.** It would appear that not even the signature and ratification of the European Charter for Regional or Minority Languages has led these practices to change. Article 7 of the Charter says: "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 and intended to discourage or endanger the maintenance or development of it".

Some of these discriminations constitute a **harassment of the speaker through the Administration's position of superiority: ridicule, arrest, insults and even physical assault.** In other case, the discrimination translates into **a loss of money or time** due to the obstacles used by the administration to hamper, block and discourage the public use of official languages in Spain other than Spanish.

Aware of the gravity of the situation, and after observing that the frequency and intensity of occurrence of the cases detected cannot be attributed to isolated events, the Pro-Language Platform began to collect the cases in order to publish them all together. The organisation presented 40 cases in a report called "The catalan case. Linguistic discrimination in Europe", that included 40 cases corresponding to the period between 2007 and the first four months of 2013.

**The document you are holding is a new report that presents 37 new cases of discrimination that occurred in only two years and a half. They comprise the period between July 1, 2013 and December 31, 2015. These cases complement the 50 previous ones (the 40 from the previous report and a further 10 cases chosen from the previous period that were not contained in that report).**

Our last report already warned that the cases described are but a part of the linguistic discrimination that takes place, since in many cases the victims of this illegal harassment do not report the cases to the police or to Pro-Language Defence Organisations, either out of ignorance or because they accept the situation of subordination of minority language speakers with regard to people that use "stronger" languages as a matter of course.

This Catalan NGO is presenting this new report to exemplify, once again, that the infringement of individual rights (such as Linguistic Rights) in the Spanish state is a contemporary and by no means sporadic process in a society that calls itself a 21st-Century democracy. The infringements described are inadmissible and stem from racist or supremacist concepts of the state and of its linguistic management. **Through this report, the Pro-Language Platform intends to denounce that these cases break the law, taking into account the fact that Spain ratified the European chapter Charter for Regional or Minority Languages and that therefore it cannot discriminate against the speakers of these languages or enact or enforce legislation that prevents people from using them.**

The cases presented include occurrences published in the media and situations reported directly to the Pro-Language Platform or to other Catalan language-defence organisations. **Some of the cases handled directly by the organisation were already common knowledge, although others are being made public in this compilation for the first time.**

This report is divided into several sections. First of all, we present **an analysis of the legislation pertaining to linguistic rights**, which includes the autonomous legislation of the four Catalan language territories (Aragon, Catalonia, the Balearic Islands or the Valencian Country) and the state legislation. The language rights guaranteed by the European Charter for Regional or Minority Languages are also taken into account.

After making a review of Four centuries of persecution of Catalan Language, the fourth section addresses the methodology applied in sourcing and selecting cases. In this part **we seek to make it clear which criteria lead us to include some cases and not others**, since besides the cases denounced and those

which go unreported there is also a series of cases where the discrimination is less severe (for example a sporadic case of the Administration refusing to speak to you in Catalan is not the same as you not being allowed to even speak it).

The fifth section includes a description of the cases. First of all, it narrates **the 37 new cases on a standard template that uses the same format as the previous report** and includes all the information pertaining to dates, organisation, victims, sources, etc. This is followed by the older cases listed and described in summarised form on a smaller-format template (with several cases on each page).

This is followed by a novelty in this report, namely a section that describes cases in which **the very application of the Spanish legislation discriminates against Catalan speakers**. This part features some cases of citizens and companies discriminated against for language reasons in the enforcement of Spanish regulations or law.

The seventh section, preceding the conclusions, presents a **statistical analysis** of the linguistic discriminations, and includes the cases from the period ranging from March 2007 to June 2013, as well as the new ones (those from the last two years): a total of 87 cases are analysed. This analysis will enable us to detect in which administrations and territories these types of cases occur most frequently.

The Pro-Language Platform trusts that this report may be a point of reference for reporting the discriminatory treatment dispensed to many citizens on account of language, as did the "In Spanish or not at all" report, which was used to present a report to the **Director of Public Prosecutions**, Consuelo Madrigal Martínez-Pereda, who acknowledged, at the beginning of this year, that 7 of the 40 previous cases represented clear infringements of language rights and that a further 5 cases required further investigation in the respective provincial Departments of Public Prosecution.

## 2. Four centuries of persecution of Catalan language: setting the scene

El català no és llengua oficial de l'Estat espanyol perquè així ho estableix la Constitució espanyola de 1978 seguint la tradició de monolingüisme estatal iniciada amb la promulgació dels Decrets de Nova Planta ara fa 300 anys. Tot i això, amb el final de la dictadura, la Carta magna espanyola permeté les autonomies atorgar l'estatus de cooficials a les llengües pròpies del seu territori. Catalunya (1979), el País Valencià (1982) i les Illes Balears (1983) van fer oficial el català en les primeres versions dels seus estatuts d'autonomia, mentre que l'Aragó només mencionava les «modalitats lingüístiques» com a element integrant de patrimoni cultural i històric, però sense anomenar-les amb cap nom que les identifiqués ni dotar-les de cap règim d'oficialitat ni cap reconeixement de drets d'ús per als seus parlants.

The situations of discrimination and harassment on the grounds of language suffered by the citizens of Catalan-speaking territories described in this report are by no means a historical exception. In order to understand the violations of the linguistic and civil rights described in this report, we must go back in time, and more particularly to the Seventeenth Century.

The legal prosecution of Catalan language began in the second half of the Seventeenth Century, in Northern Catalonia, annexed to the Kingdom of France as a result of the Treaty of the Pyrenees (1659) between the French and Spanish monarchies. Louis XIV, King of France, banned the use of Catalan in education, public administration and in religious celebrations. He also ordered that all legal proceedings, the deliberations of municipal magistrates, affidavits by notaries public and all kinds of public acts or events had to be conducted in French or would be declared null and void. King Louis XIV once actually said that the habit of speaking Catalan contravened "*l'honneur de la Nation françoise*"<sup>2</sup> 1

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<sup>2</sup> FERRER i GIRONÈS, Francesc. *La persecució política de la llengua catalana*, Edicions 62, 1993, Barcelona

In the other Catalan-speaking territories, the widespread persecution of Catalan began with the enactment of the so-called Nueva Planta Decrees, a package of laws passed by Philip V after the War of Spanish Succession (1701-1715), which did away with Catalonia's own institutions and constitutions and those of the other territories of the Crown of Aragon. In the case of the Kingdom of Valencia, through the decree of June 29, 1707 Philip V ordered the abolition of all privileges and the assimilation of Valencian language into the usages, customs and laws implemented in Castile. Although no specific reference was made to the use of language, Catalan was automatically abandoned and replaced by Spanish. Thus began the bureaucratic "Castilianisation" of the entire administration of Valencia.

In Catalonia and the Balearic Islands, the hostilities of the War of Succession lasted until 1714 and 1715, respectively. In January 1716, Philip V enacted the Nueva Planta Decree, a package of laws that imposed absolutism in the Monarchy of Spain. In the case of the territories of the Crown of Aragon, these provisions invoked right of conquest, and the Crown's privileges and constitutions were abolished, and the local institutions that safeguarded these privileges and constitutions were likewise abolished.

The enactment of the Nueva Planta decrees replaced Catalan with Spanish in the government, including the judiciary. In Catalonia, the enactment of these new laws was accompanied by certain secret instructions issued to the new Castilian administrators in a report produced by the Council of Castile. One of these instructions is a paradigmatic example of the political annihilation of Catalan language: *"The utmost care will be taken to introduce Spanish, for which purpose extremely subtle and covert measures will be taken to ensure their unnoticed effectiveness"*.<sup>3</sup>

The Royal Court of Catalonia was imposed as the sole institution of government and justice of Catalonia, and in which only Spanish language was used. Catalan universities were also suppressed by way of punishment, and the new University of Cervera was established, where the teaching language was

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<sup>3</sup> FERRER i GIRONÈS, Francesc. *La persecució política de la llengua catalana*, Edicions 62, 1993, Barcelona

Spanish.<sup>4</sup> In Majorca, the New absolutist "Planta" of Majorca, publicly pronounced on 16 March 1716, also led to the exclusion of Catalan language and the progressive implementation of Spanish in all public areas.

The Nueva Planta Decree was merely the beginning of the repression instigated against Catalan language: during the 1760-1808 period, the Catalan-speaking territories were obliged to bear the brunt of a new offensive against Catalan, driven by the argument that the consolidation of the Spanish State was conditioned to linguistic uniformity and the expansion of Spanish. The Royal Charter of Aranjuez of 1768, approved by Charles III, heralded yet another step in the exclusion of Catalan, imposing the exclusive use of Spanish in public life, and Spanish as the sole teaching language in schools. Catalan was further ostracised in subsequent legal provisions: a ban on the use of Catalan in education (1768); prohibition of the publication of books in Catalan (1768); obligation of merchants all over the Kingdom to do their accounts or book-keeping in Spanish (1772), and the prohibition of plays being performed in any language other than Spanish (1801).<sup>5</sup>

The Napoleonic Wars in Spain (1808-1814) brought brief respite in the process of the repression of Catalan. The French invasion helped Catalan to recover its official status in Catalonia. The use of Catalan was common in the public administration and in the press.

However, the war situation and Napoleon's subsequent defeat meant that this status was more formal than real.<sup>6</sup>

When the Bourbon monarchy was restored in Spain, Catalan was banished once again from public and government life, and the measures taken to eradicate Catalan were resumed. For example, in the Church, which in 1928 enacted an Episcopal order whereby all sacred books of parishes had to be in Spanish. Nevertheless, Catalan managed to stay alive in the Catholic Church;

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<sup>4</sup> DEDIEU, Jean-Pierre. «[La Nueva Planta en su contexto. Las reformas del aparato del Estado en el reinado de Felipe V](#)». *De la monarquía dels Àustries a la dels Borbons: imatge i història d'un canvi dinàstic i polític*, Manuscrits. Revista d'Història Moderna 18, 2000, pp. 113-139.

<sup>5</sup> FERRER i GIRONÈS, Francesc. *La persecució política de la llengua catalana*, Edicions 62, 1993, Barcelona

<sup>6</sup> MERCADER, Joan. *Catalunya i l'Imperi Napoleònic*, Publicacions de l'Abadia de Montserrat, 1978, Barcelona

the lower-level clergy continued to use it in catechesis. Further restrictions were imposed on the use of Catalan in education; the regulations governing public schools of 1838 and 1849 highlight the obligation to use only Spanish. The use of Catalan was maintained thanks to the staff who had learned the language in the family setting. Even a document issued by the Cemeteries Board banned the use of Catalan in epitaphs in cemeteries in Catalonia. Some other examples of provisions to ensure the hegemony of Spanish in all public areas include the ban on the use of Catalan in deeds executed by Notaries Public in 1862 and the ban on writing plays in Catalan in 1867.<sup>7</sup>

The Glorious Revolution (1868-1974) and the fall of the Bourbon monarchy opened up prospects for greater respect for the different nationalities in Spain, but the restoration of the Bourbon monarchy (1875) consolidated a dual-party oligarchic model devised by a conservative party and a liberal party that alternated in power. In this political context, the prosecution of Catalan was accentuated: in 1881 the Conservative government enacted a new Civil Procedure Law stipulating that any document written in a language other than Spanish in court proceedings had to be translated into Spanish. This therefore annulled the validity of any document written in Catalan in private documentation and in commerce. During this period, the use of Catalan in the civil registry and the courts was also banned. Even the *Directorate General of the Post Offices and Telegraphs* issued a circular in 1896 banning the use of Catalan language in telephone calls in Spain.<sup>8</sup>

Towards the end of the Nineteenth Century, a growing pro-Catalan movement committed to helping Catalan to recover its official status in Catalonia was incubated. In this regard, in 1892 the Catalan Nationalist Union produced a manifesto called "Bases for the Catalan Regional Constitution" which proposed that "Catalan will be the only official language that can be used in Catalonia and in the dealings of this region with the central power".<sup>9</sup> It should also be noted that in 1896 an MP from Valencia made the first - albeit unsuccessful -

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<sup>7</sup> FERRER i GIRONÈS, Francesc. *La persecució política de la llengua catalana*, Edicions 62, 1993, Barcelona

<sup>8</sup> «[Llistat de les normes de repressió i violència espanyola contra la llengua catalana](#)». Archived from the original of 13 May 2008. published in the electronic bulletin no. 73 of the Catalan Language Commission of the [Bar Association of Catalonia](#)

<sup>9</sup> LLORENS i VILA, Jordi. *La Unió Catalanista (1891-1904)*, Rafael Dalmau Editor, 1991, Barcelona

parliamentary petition to the Spanish Courts to harmonise the use of non-Castilian languages in schools.

The Twentieth Century began with a strong Pro-Catalan nationalist movement, but the attacks on Catalan language did not cease, as is illustrated by the different provisions enacted by the Spanish government of the time against the remaining Catalan strongholds: the obligation of all teachers to teach Christian doctrine in Spanish (1902) or the refusal to validate documents written in Catalan in the Land Registry (1915). Even the *Real Academia Española de la Lengua* (Spanish Royal Academy of Language) forwarded a complaint to the Spanish government in 1916 asking it to monitor compliance with the legal regulations that imposed the exclusive use of Spanish in schools.<sup>10</sup>

In 1914, the creation of the Commonwealth of Catalonia was approved, an institution that united the four Catalan provinces: Barcelona, Girona, Tarragona and Lleida, and in response to a historical Catalan demand, since it heralded the federation of the four Catalan provincial councils and the first attempt at returning powers over the administrative management of the territory since the Nova Planta Decree. In the strictly linguistic area, Spanish continued to be the dominant language of the Commonwealth. Catalan only enjoyed a certain official status in oral communications, and if a document was written in Catalan it had to be accompanied by a translation into Spanish.

The meagre advances in autonomy and the use of Catalan language in public life were curtailed by the *coup d'état* by the Captain General of Catalonia, Miguel Primo de Rivera, in 1923 and the subsequent military dictatorship that would last until 1930. The dictatorship dictated the suppression of the Commonwealth of Catalonia and the suspension of the few advances made in the official recognition of Catalan. That same year, 1923, the new military government approved a Royal Decree targeting separatism, which was particularly aggressive against the use of Catalan and the other minority languages of the state in the public sphere: Catalan was relegated to the oral domain, and its use was prohibited in the official documents, acts and records of local corporations and public events. However, the law did not prohibit writing

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<sup>10</sup> FERRER i GIRONÈS, Francesc. *La persecució política de la llengua catalana*, Edicions 62, 1993, Barcelona

songs, dances and customs in Catalan, i.e. the aim was to relegate the language to folklore. In subsequent years, the military dictatorship eliminated optional Catalan classes in primary schools, and inspectors were also ordered to remove all books written in Catalan from schools and suspend all teachers that refused to teach in Spanish or tried to obstruct the use of Spanish in teaching. Other repressive measures taken against Catalan included the abolition of the Commonwealth of Catalonia or the penalty imposed on the Bar Association of Barcelona following its refusal to publish the *Judicial Guide* in Spanish.<sup>11</sup>

Another one of the institutions attacked by the Military Dictatorship for using Catalan was the Catholic Church, one of the few institutions where the language had survived, particularly in preaching and catechesis. Some examples of this repression are the imprisonment of the missionary Bartomeu Barceló for giving a sermon in Catalan in the Cathedral of Girona, and the Jesuit Ramon M. Bolòs of Manresa was arrested and incarcerated for the same reason. The dictator Primo de Rivera even had the state ambassador to the Vatican removed in order to put pressure on the Vatican bureaucracy for the Catalan Church to abandon its loyalty to Catalan.<sup>12</sup>

The advent of the Second Spanish Republic on 14 April 1931 constituted a major earthquake in Spanish political life; Catalan recovered its presence in public life and most of the provisions that prohibited its use were repealed. Catalan's legal status in the new regime was regulated by the Republican Constitution and by the Statute of Autonomy of Catalonia, approved by the Spanish Republican Parliament in 1932. The second article of the Statute of Autonomy establishes Catalan and Spanish as the official languages of Catalonia. The language was also recognised and used in the administration of justice and notarial documents, and this also extended to the field of university and non-university teaching.<sup>13</sup>

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<sup>11</sup> ROIG i ROSICH, Josep M. *La Dictadura de Primo de Rivera a Catalunya*. Un assaig de repressió cultural, Publicacions de l'Abadia de Montserrat, 1998, Barcelona

<sup>12</sup> FERRER i GIRONÈS, Francesc. *La persecució política de la llengua catalana*, Edicions 62, 1993, Barcelona

<sup>13</sup> BENET, Josep. *L'intent franquista de genocidi cultural contra Catalunya*, Publicacions de l'Abadia de Montserrat, 1995, Barcelona

Catalan went through a period of relative normality during the Second Republic and gradually recovered its presence in certain private and public walks of life. Moreover, Catalan also enjoyed a spell of splendour in the press, the scientific world, the socio-economic area and public life in general. However, the outbreak of the Spanish Civil War and the subsequent victory of the military rebels led to a fierce crackdown on the language and culture.

The pro-Franco side was deeply hostile to Catalan language as of the outbreak of the Civil War. In Majorca, in the hands of the military fascists since 1936, Catalan was immediately banished from public life and also from the strictly private sphere, where the new regime engaged in propaganda with slogans such as: *"If you are Spanish, then speak Spanish."* The breakaway government repealed the Statute of Autonomy of Catalonia in May 1938, and as a result of this law Catalan ceased to be official in Catalonia. The ban was enforced relentlessly by the military rebels in the occupied territories; in 1938, in Lleida, the occupying troops strafed a gravestone on which a poem had been engraved in Catalan, or the military governor of Lleida published the following slogan: *"Spaniards, speak Spanish"*.<sup>14</sup>

The persecution of the public use of Catalan was redoubled with the occupation of Barcelona and the rest of Catalonia in January 1939. The day that Franco's troops entered Barcelona, the head of the occupying forces announced that the use of Catalan would only be allowed in the family setting. Repression was systematic; Franco's army seized Ràdio Associació de Catalunya, Barcelona's main radio station, and Catalan was totally prohibited; the language was radically banned in the City Council of Barcelona, all press published in Catalan, even religious and right wing, was shut down; all kinds of books in Catalan were destroyed and banned.<sup>15</sup>

In view of the refusal of numerous shops, industries and people to comply with the order to remove signs and announcements or advertisements in Catalan, many town and city councils published municipal orders to have any public

<sup>14</sup> SOLÉ i SABATÉ, Josep M.; VILLARROYA, Joan. *Cronologia de la repressió de la llengua i la cultura catalanes, 1936-1975* Curial Edicions Catalanes, 1994, Barcelona

<sup>15</sup> BENET, Josep. *L'intent franquista de genocidi cultural contra Catalunya*, Publicacions de l'Abadia de Montserrat, 1995, Barcelona

(street name plates or public signs) or private sign (commercial establishments) written in Catalan removed immediately. Failure to comply was punished by heavy fines and compliance was monitored by the military authorities. Many town and village names in Catalonia were "Castilianised".

Thousands of books written in Catalan were also destroyed in the first few months of 1939. For example, between February and March in that year, nine truckloads of banned Catalan books were shipped from the warehouse of the Barcino Publishers to a paper mill to be destroyed, or books by the Proa publishing house were dumped in the street and then converted into paper pulp. In June, second-hand bookshops in Barcelona were closed temporarily so that all banned books in Catalan could be removed from them.<sup>16</sup>

In schools, not only was the use of Catalan in education banned, but the order was also given to withdraw all books, notebooks, forms and work already done in Catalan from schools. In Majorca, fifty-six state teachers were definitively dismissed from the teaching profession and ninety-nine were punished. The total was just over six hundred teachers. In Catalonia, more than a thousand Catalan teachers were excluded from teacher teaching school and the new regime sent non-Catalan teachers to Catalonia, particularly from Castile.<sup>17</sup> In October 1939, once the provisions prohibiting the use of Catalan in school had been issued, the civil governor of Barcelona personally closed two schools where the provincial inspection had reported that there were teachers giving classes in Catalan.<sup>18</sup>

On 1 August, 1939, four months after the war had officially ended, and after more than six months had elapsed since the occupation of Barcelona, the military occupation came to an end. However, the persecution of the language and culture did not relent. Proof of this is the prohibition on government officials speaking Catalan during working hours under the threat of serious penalties. The prohibition of the use of Catalan on all kinds of paper forms was

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<sup>16</sup> SOLÉ i SABATÉ, Josep M.; VILLARROYA, Joan. *Cronologia de la repressió de la llengua i la cultura catalanes, 1936-1975* Curial Edicions Catalanes, 1994, Barcelona

<sup>17</sup> BENET, Josep. *L'intent franquista de genocidi cultural contra Catalunya*, Publicacions de l'Abadia de Montserrat, 1995, Barcelona

<sup>18</sup> SOLÉ i SABATÉ, Josep M.; VILLARROYA, Joan. *Cronologia de la repressió de la llengua i la cultura catalanes, 1936-1975* Curial Edicions Catalanes, 1994, Barcelona

guaranteed by the existence of prior censorship of all types of printing work, which even affected commercial labels. With the end of World War II in 1945, and the defeat of the Nazi and Fascist regimes that had supported Franco's regime, the latter was obliged to soften some aspects of its persecution of language and culture. But most of the important prohibitions continued to exist.<sup>19</sup>

In later decades, Franco's dictatorship was stabilised, but the regime continued to pursue a language policy that effectively wiped out non-Castilian languages from public life and institutions. Only popular pressure managed to open some chinks that widened over the years. But the bans continued; the Spanish prison Regulation of 1956 explicitly stated that all communication during visits to prisons had to be in Spanish, or in 1957 the new regulation of the civil registry established that all Spaniards had to have their name registered in Spanish. However, in the nineteen-sixties some small signs of change became evident, coinciding with increased public and international pressure. Nevertheless, the attacks on language and culture did not cease: in 1968, the singer-songwriter Joan Manuel Serrat refused to participate in the Eurovision Song Contest because he was not allowed to sing in Catalan,<sup>20</sup> and in 1972 the civil governor of Barcelona banned announcements in Catalan through the public address system at the FC Barcelona stadium under threat of closing the stadium. It should also be mentioned that the nineteen-seventies witnessed numerous attacks on bookshops committed to Catalan language and culture throughout the Catalan-speaking territories: in 1971, the Tres i Quatre bookshop in Valencia was attacked: the windows were broken and ink was poured inside, and there was another attack in the same year on the Cinc d'Oros bookstore in Barcelona with bottles of flammable liquid. Moreover, in those years hundreds of articles were censored and banned in several Catalan magazines and periodicals, and in some cases the publishers had to pay heavy fines.<sup>21</sup>

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<sup>19</sup> BENET, Josep. *L'intent franquista de genocidi cultural contra Catalunya*, Publicacions de l'Abadia de Montserrat, 1995, Barcelona

<sup>20</sup> MIRALLES i MONTSERRAT, Joan. *Entorn de la història de la llengua*, Publicacions de l'Abadia de Montserrat i de la Universitat de les Illes Balears, 2001, Palma

<sup>21</sup> SOLÉ i SABATÉ, Josep M.; VILLARROYA, Joan. *Cronologia de la repressió de la llengua i la cultura catalanes, 1936-1975* Curial Edicions Catalanes, 1994, Barcelona

In 1975, Franco's regime disappeared, Catalan language and culture had survived the attempted cultural genocide, but it must be said that very serious, and even irreparable damage, had been caused to Catalan language.<sup>22</sup> The democratic transition culminated in the approval of the Spanish Constitution of 1978 which, while it established Spanish as the only language of the state, also recognised the official status of Catalan, Basque and Galician in the respective territories where it is spoken.

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<sup>22</sup> BENET, Josep; *L'intent franquista de genocidi cultural contra Catalunya*, Publicacions de l'Abadia de Montserrat, 1995, Barcelona

### 3. Linguistic legislation and citizens' linguistic rights

Catalan is not an official language of the Spanish State because it is thus established by the Spanish Constitution of 1978, upholding the state single-language tradition initiated with the enactment of the *Nova Planta* Decrees 300 years ago. Nevertheless, at the end of the dictatorship, the Spanish Magna Carta allowed the Autonomous Communities to award the specific languages of their territories the status of jointly-official languages. Catalonia (1979), the Community of Valencia (1982) and the Balearic Islands (1983) made Catalan official in the early versions of their Statutes of Autonomy, whereas Aragon only mentioned "linguistic modalities" as part of its cultural and historic heritage, albeit without actually naming them or affording them any official regimen or type of recognition of rights of use to speakers.

This section will analyse all the legislation that applies to the Catalan-speaking territories that fall under Spanish sovereignty, paying particular attention to aspects related to citizens' linguistic rights in their dealings with the public administrations.

#### Legislation on linguistic rights in Catalonia

In the territorial scope of action of the Government of Catalonia, **the Statute of Autonomy of Catalonia 2006** (Law 6/2006 of July 19, on the reform of the Statute of Autonomy of Catalonia) — a fundamental element of the Catalan legal system and Spanish Organic Law —, and **Law 1/1998 of January 7, on linguistic policy**, are the regulations that develop citizens' linguistic rights in greatest detail. In the case of the Statute of Autonomy of Catalonia of 2006, Chapter III. Linguistic Rights and Obligations, establishes precisely that.

Particular mention should be made of **articles 32 and 33**, which regulate citizens' linguistic rights in their dealings with the public administration. These two articles establish the right to deal in Catalan with all public administrations in Catalan territory and the validity of documentation written in Catalan.

*Article 32. Rights and obligations concerning the knowledge and use of languages*

*Each individual has the right not to be discriminated against for linguistic reasons. Legal acts executed in either of the two official languages have, in linguistic terms, full validity and effect.*

However, the last point of article 33 was challenged by sentence STC 31/2010, of June 28, 2010, of the Constitutional Tribunal, and excludes Catalan state organisations not headquartered in Catalonia from the sphere of validity, regardless of whether they are the reference organisation and are necessary for Catalan citizens, by specifying that the state legislation must regulate the rights to use Catalan in these organisations or agencies.

*Article 33. Linguistic rights in dealings with public administration bodies and state institutions*

*1. Citizens have the right to linguistic choice. In their relations with institutions, organisations and Public Administration bodies in Catalonia, each individual has the right to use the official language of his or her choice. This right binds public institutions, organisations and administration bodies, including the electoral administration in Catalonia, and, in general, any private bodies depending on them when exercising public functions.*

*2. When dealing with the Administration of Justice, the Office of the Public Prosecutor, notaries and public registry offices, each individual has the right to use the official language of his or her choice in any judicial, notarial or registration procedures, and to receive all official documentation issued in Catalonia in the language requested, without having to endure defencelessness or undue delay due to the language chosen, and without having to provide any type of translation.*

*3. To guarantee the right to linguistic choice, judges and magistrates, public prosecutors, notaries, registrars of property and companies, those responsible for the Civil Registry and those in the service of the Administration of Justice, must demonstrate, in order to serve in Catalonia, in the form established by law, that they have an adequate and sufficient knowledge of the official languages which renders them fit to fulfil the functions of their post or workplace.*

*4. To guarantee the right to linguistic choice, the Administration of the State in Catalonia must demonstrate that the staff in its service has an adequate and sufficient knowledge of the two official languages that renders it fit to fulfil the functions of their post.*

*5. The citizens of Catalonia have the right to communicate in writing in Catalan with the constitutional entities and with the State-wide jurisdictional bodies, in accordance with the procedures established by the corresponding legislation. These institutions shall attend to and process written communications in Catalan, which shall have in all cases, full legal validity.*

Most of the rights that are recognised by the Statute of Autonomy, however, were acknowledged in **Law 1/1998, of January 7, on language policy**, whose article 4 guarantees citizens' language rights, such as to express themselves in either of the official languages (Catalan and Spanish), not to be discriminated against and to address the Courts in order to seek legal protection to use Catalan or Spanish:

*Article 4. Linguistic rights*

*1. In accordance with article 3 of the Statute of Autonomy, and within the context of an active policy by the Generalitat to create a situation which allows linguistic rights and duties to reach full equality, everyone in Catalonia is entitled: a) To be proficient in both languages b) To express themselves in either of the two official languages, verbally or in writing, in their relations as well as in private and public procedures. c) To be served in either of the two official languages in the manner laid down by this Act. d) Not to be discriminated against on account of the official language they use. 2. Everyone may address the courts and tribunals in order to obtain legal protection for the right to use their language. 3. Everyone may address the Government of Catalonia and the Ombudsman requesting that, within the scope of their authority, they act in order to guarantee linguistic rights in a specific manner*

Law 1/1998 of January 7 on linguistic policy therefore guarantees the right of the citizens of Catalonia to express themselves in Catalan orally and in writing, in their public and private dealings and acts, and prohibits discrimination on the grounds of language. In other words, the administration should take the necessary measures to guarantee such rights, and citizens may turn to the Administration of the Government of Catalonia and the Ombudsman if such rights are violated. In addition, articles 11 and 12 provide for actions to ensure the use of Catalan in the Autonomous and State administration:

*Chapter 1 Institutional Use*

*Article 11 The linguistic ability of the staff in the service of the administrations of Catalonia*

*1. The staff in the service of the authorities, corporations or public institutions of Catalonia shall have a sufficient and appropriate command of the two official languages, both in verbal and written communication, so that they can adequately carry out the duties assigned to their post. 2. In order for what is laid down in paragraph 1 to be valid, the Government of the Generalitat shall guarantee the teaching of Catalan to the staff in the service of the Generalitat, local 18 authorities, public universities and the judicial authorities of Catalonia and promote measures to recycle such staff. (...)*

*Article 12 State Authorities*

- 1. Administrative procedures carried out in Catalonia by the bodies and entities of the State Authorities, both verbally and in writing, in either of the official languages, are valid, without requiring translation.*
- 2. Everyone is entitled to communicate with and to be served by the State Authorities in Catalonia, verbally or in writing, in the official language of their choice, and cannot be required to provide any kind of translation*

The right to deal with the State Administration, however, does not have a legal ordinance that guarantees the normal use thereof, and the ruling on the Statute of Autonomy of Catalonia of June 28, 2010 determined that the State Administration in Catalonia need not substantiate that its personnel have sufficient proficiency in Catalan, although citizens continue to enjoy the right to use Catalan in all administrations based in Catalonia.

In this way, the Administration must always have someone ready to attend to people in Catalan (although it falls to the speakers to request service in Catalan) and provide service through shifts, with translators, etc. Many of the cases of discrimination observed are propitiated by the shortcomings of language management and the lack of a competency requirement in Catalan language in the Central Administration of the Spanish State.

By way of summary, the legislation enacted in Catalonia guarantees citizens' rights to use Catalan in their dealings with all public administrations based in Catalonia, including the state administration, and provides for the prohibition of discrimination on the grounds of language reasons, although there are some deficits in terms of measures in place to guarantee this service by the State Administration.

### **Legislation on linguistic rights in the Balearic Islands**

In the case of the Balearic Islands, the basic regulation is the Statute of Autonomy of the Balearic Islands. The latest amendment was made in 2007 through **Law 1/2007 of February 28 on the Statute of Autonomy of the Balearic Islands**. Article 4 establishes Catalan as the official and specific language of the Balearic islands, adding that no one may be discriminated on account of using an official language:

*Article 4 Own language*

1. *Catalan, the language of the Balearic Islands, along with Spanish, is the official language.*
2. *Everyone has the right to know it and use it and nobody will be discriminated against for using it.*
3. *The institutions of the Balearic Islands will guarantee the normal and official use of both languages, will take the necessary measures to ensure knowledge thereof and will create the conditions that permit both languages to be totally equal in terms of the rights of the citizens of the Balearic Islands.*

This Organic Law, and more particularly article 14.3, also guarantees citizens' right to use Catalan in their dealings with the administration of the Autonomous Community:

*Article 14 Rights in relation to the public administrations*

3. *The citizens of the Balearic Islands have the right to address the Government of the Autonomous Region in either of the two official languages and to receive a reply in the same language that they use.*

As is the case in Catalonia, the Balearic Islands also have a law that regulates linguistic rights and linguistic uses of the native language: **Law 3/1986 of April 29 on language planning in the Balearic Islands**. Article 2 of this provision guarantees citizens' right to use Catalan in their dealings with the administrations:

*Preliminary Title*

*Article 2*

1. *Catalan is the language of the Balearic Islands and everyone is entitled to know it and use it.*
2. *This right entails being able to address the Administration, public organisations and public and private companies in Catalan, orally or in writing. It also entitles them to express themselves in Catalan in any meeting and use this language in their professional, occupational, political, trade union, religious and artistic activities, to education in Catalan and to information in Catalan in all the social communications media.*
3. *All forms of expression in Catalan language, written or oral, public or private, have full legal effect, and the use of this right cannot prompt any requirement for a translation or*

*lead to any demand involving discrimination or intended to draw out the proceedings in question.*

*4. Nobody can be discriminated against on account of the language they use.*

*5. The island forms of Catalan will be studied and protected, without jeopardising the unity of the language.*

Article 8 of this regulation reasserts citizens' right to deal with the territorial public administrations in Catalan and to receive documentation from public organisations and agencies in Catalan:

*Title I On official use*

*Article 8*

*1. Citizens are entitled to use Catalan language, orally and in writing, in their relations with the public administration in the territory of the Autonomous Community.*

*2. Copies and certifications issued by the public organisations of the Autonomous Community must be issued in Catalan, unless the interested party or the person or organisation that requires them requests a Spanish version.*

*3. In the Balearic Islands, administrative actions are valid and have fully effect regardless of the official language used.*

Finally, the first final provision of this regulation establishes the Autonomous Government's duty to promote full harmonisation in the the state administration and in justice within the territorial scope of the Balearic Islands:

*Title IV On the harmonising function of the public authorities*

*First additional provision*

*The Balearic government must promote, in accordance with the relevant bodies, the harmonisation of the use of Catalan in the peripheral State administration, in the administration of Justice, in registries, in public and semi-public companies and in any administrative area that does not depend on the Government of the Autonomous Community.*

Up until the year 2012, the right to deal with the autonomous administrations in Catalan was accompanied by the requirement of substantiating a functional level of Catalan. However, that year, the Parliament of the Balearic Islands, with the absolute majority of the PP (People's Party), enacted Law 9/2012, of July

19, modifying Law 3/2007, of March 27, on the public function in the Autonomous Community of the Balearic Islands, removing the requirement of substantiating a functional level of Catalan in most employment positions in the Islands, relegating such proof to a grading that can be performed in job selection processes. This law also prevented Town and City Councils from approving announcements for job vacancies in which Catalan was a requirement. This legal change makes it difficult to enforce the right to deal with the Administration in Catalan, although the right is maintained and the Administration must find a way to guarantee it in each case. Notwithstanding, since the autonomous elections of May 2015, and the entry of parties that oppose the language policy of the previous government into the parliamentary majority, the Law may be expected to be changed again in order to guarantee fulfilment of the right.

By way of conclusion, according to the current law, citizens are entitled to use the language of the Balearic Islands in their written and oral dealings with public administrations based in the Balearic Islands, and under no circumstances can they be discriminated against for using the official language of their choice.

### **Legislation on linguistic rights in the Valencian Country**

In the Valencian Country (also called *Autonomous Community of Valencia*), the basic regulation is also its Statute of Autonomy. Its latest version, enacted by **the Organic Law 1/2006, of April 10, Reforming Act 5/1982 of July 1, of the Statute of Autonomy of the Autonomous Community of Valencia**, states that Valencian (the popular and official name given to Catalan language in the Valencian Country) is the language of the Community and that administrations should strive to guarantee normal use of both official languages and make sure that no citizen is discriminated against for using either one of the official languages:

*First title The Autonomous Community of Valencia*

*Sixth Article*

- 1. The own language of the Autonomous Community of Valencia is Valencian.*
- 2. Valencian language is official in the Autonomous Community of Valencia, as is Spanish, which is the official language of the State. Everyone is entitled to know them and use them and to receive education about and in Valencian.*

3. *The Government of Valencia will guarantee the normal and official use of both languages and take the necessary measures to guarantee the knowledge thereof.*

4. *Nobody can be discriminated against on account of the language they use.*

5. *Special protection and respect will be accorded to the recovery of Valencian.*

Subsequently, article 9 of the Valencian Statute establishes the autonomous administrations' duty to attend to citizens in Catalan and answer citizens in the official language they choose to use:

*Second title: On the rights of the Valencians*

*Article 9*

2. *All citizens are entitled to the public administrations of the Government dealing with cases fairly and impartially and within a reasonable time and to enjoy quality public services. Similarly, the citizens of the Autonomous Community of Valencia have the right to address the Administration of the Autonomous Community in either of its two official languages and to receive a reply in the same language that they use.*

Besides the Statute of Autonomy, the use of Valencian is regulated by **Law 4/1983 of November 23 on the use and teaching of Valencian** and other provisions. This legislation regulates the official uses of the own language in the administration and in education and to guarantee the rights of citizens and the Administration's corresponding obligations, as provided for in the preliminary title:

*Preliminary Title. General Principles*

*Article 2*

*Valencian is the own language of the Autonomous Community of Valencia and consequently all citizens are entitled to know it and use it orally and in writing in their private dealings and in their dealings with the public authorities.*

*Article 3*

*Without prejudice to the exceptions regulated by law in this Law, the use of Valencian by the citizens in public and private dealings has full effect, the same as if they use Spanish, that cannot be derived from the exercise of their right to express themselves in Valencian, any form of discrimination or obligation to translate.*

*Article 4*

*Under no circumstances may anybody be discriminated on account of using either one of the official languages.*

*Article 5*

*The administration will take the necessary measures to prevent discrimination against people or activities on account of using either one of the official languages.*

*Article 6*

*Citizens are entitled to have their right to use their own language protected by judges and courts in accordance with the provisions of the law in force.*

Chapter I. details the formal mechanisms established to safeguard the rights established in the preliminary title:

*First Title*

*Chapter One. On official use*

*(...)*

*Article 9*

*1. All administrative activities conducted in Valencian language in the Autonomous Community of Valencia will enjoy full legal validity and effect.*

*2. Legal documents written in Valencian relating to administrative activity and all forms used by the Government will be fully effective.*

*Article 10*

*In the territory of the Autonomous Government of Valencia, all citizens are entitled to address the Government and other local and public organisations in Valencian.*

*(...)*

*Article 12*

*1. In accordance with the provisions of this Law, all citizens are entitled to address the Administration of Justice in the official language they deem fitting. They cannot be required to produce any kind of translation and neither should there be any delay in the processing of their claims.*

*2. All actions, documents and tests executed or written in Valencian before the Courts of Justice and any followed by the latter in the same language are completely valid and effective.*

*Article 13*

*1. All public documents will be drafted in Valencian or Spanish at the indication of the executor, and if there is more than one party involved they shall be written in the language chosen by common agreement.*

*2. In any event, copies or certifications of documents that are to be used or be effective outside the territory of the Valencian Community will be written in Spanish.*

*3. In the other cases, copies and certificates will be issued in the language requested by the interested or requesting party, and notaries public and other commissioners for oaths will translate the templates or originals as necessary. In any case, they may always be issued in both languages.*

*(...)*

*Article 16*

*Public enterprises and the public services directly dependent on the Administration must ensure that employees who deal directly with the public have a sufficient command of Valencian to be able to render the services entrusted to them normally.*

Thus, Valencian citizens are entitled to use their own language before the courts and Administration of Valencia, both orally and in writing. Neither can

they be required to provide a translation or change language. These provisions also affect public companies or enterprises, so people who deal directly with the general public should have a sufficient command of both official languages to be able to serve the public properly.

Although this report points to the infringements of a law that is supposed to guarantee certain rights, in the months leading up to the Autonomous Elections of May 2015, the Acció Cultural del País Valencià Association and the Valencian public universities submitted a document called "For a new and effective law of linguistic equality" as a proposal to the new government. The document performs a critical analysis of the Law on teaching and the use of Valencian and calls for a new law to replace it. The document states that the current law "has failed to accomplish virtually any of its objectives", including, by way of example, "a) the enforcement of the rights of all citizens to know and use Valencian", and proposes that the elected executive should strive to make the rights of people who use Catalan equal to those who use Spanish.

### **Linguistic rights in the Catalan-speaking counties of Aragon**

In the Catalan-speaking counties of Aragon, commonly called "la Franja" (the Strip) or Eastern Aragon, the Statute of Autonomy does not recognise an official regimen for the autochthonous language. Nevertheless, the enactment of the **Organic Law 5/2007, of April 20, reforming the Statute of Autonomy of Aragon** is expected to promote a law to establish the linguistic rights of Catalan and Aragonese language speakers, and its article 7 establishes that nobody can be discriminated against on account of language:

*Article 7. Own linguistic languages and modalities*

- 1. The specific linguistic languages and modalities of Aragon are one of the most outstanding embodiments of the historic and cultural heritage of Aragon and a social value of respect, coexistence and understanding.*
- 2. A law by the Courts of Aragon will establish the areas where the specific languages and modalities of Aragon will be predominantly used and will regulate the legal system and the rights of the speakers in these territories. It will foster the protection, recovery, education, promotion and dissemination of the linguistic heritage of Aragon, and will promote, in the areas of predominant use, the use of these specific languages in the citizens' dealings with the public administrations of Aragon.*

3. *Nobody can be discriminated against on account of language.*

Following this statutory mandate, in 2009 the government of Aragon, headed by a president of the Aragonese Catalan-speaking counties, Marcel·lí Iglesias (PSOE), approved an initial language law that recognised the right to speak the Catalan and Aragonese languages in their areas of use, as well as a set of rights regarding the use thereof. The government of the 2011-2015 legislature, headed by Luisa Fernanda Rudi (PP), promoted and enacted an amendment that particularly affected the fact that both languages went on to become known as "Aragonese" and were distinguished by the names "Aragonese language specific to the Eastern area" (popularised with the LAPAO acronym) for Catalan and the "Aragonese language specific to the Pyrenean and pre-Pyrenean area" for Aragonese. Moreover, the regulations of both languages would have to be governed by a single language academy instead of two, as provided for by the previous law.

The current law, however, enacted under the name of **Law 3/2013, of May 9, on the use, protection and promotion of the specific languages and linguistic modalities of Aragon**, preserves quite a number of the linguistic rights provided for by the previous law and is established and drafted in very similar fashion. For example, its article 3 envisions a series of linguistic rights, such as using Catalan (now called "Eastern area Aragonese") and Aragonese, now called "Pyrenean and pre-Pyrenean Aragonese") in the predominant use areas, receiving teaching in both languages, as well as the right not to be discriminated against and the guarantee that such rights must be ensured by the public powers of Aragon:

*Article 3. Linguistic rights*

*1. The following linguistic rights in the cases established in this law are guaranteed for the citizens of Aragon:*

- a) To know the specific languages and linguistic modalities of Aragon.*
- b) To use the specific languages and linguistic modalities of Aragon orally and in writing in the predominant historical areas of use.*
- c) To be taught and educated in the specific languages and linguistic modalities of Aragon.*
- d) To have access, in the specific languages and linguistic modalities of Aragon, to publications and programmes on radio, television and other social media.*

- e) *To use the specific languages and linguistic modalities in economic and social life.*
2. *Nobody can be discriminated against on account of language.*
3. *The public powers of Aragon will acknowledge the use of these rights to ensure that they are effective and real.*

Article 16 of the same law recognises citizens' rights to express themselves in Catalan and Aragonese before the public administrations in the areas of predominant use.

*Article 16. the dealings between the citizens and the public administrations.  
All citizens have the right to express themselves, orally and in writing, besides in Spanish, in the specific languages and linguistic modalities of Aragon, in their respective areas of predominant use, as provided for in this Law.*

Despite this acknowledgement of rights, the 2013 wording reduced the rights established by the article with the same title in the Law of 2009, summarising it and eliminating, for example, the right to be answered in the same language that is used for writing or to have bilingual forms when any dealings with the administration are by means of a pre-established form or template. Another amendment reducing these rights is the elimination of the article referring to legal and administrative protection, with regard to the protection of linguistic rights by the public powers and the taking of measures to avoid discrimination.

The right to be answered in the same written language is not guaranteed in this article nor in the articles pertaining to dealings with the courts of Aragon or with the system of Justice of Aragon. Nevertheless, these articles continue to regulate the right to use these languages before these institutions:

*Article 18. The Aragonese Corts (Parliament)*

1. *The regulation of the use of the specific languages and linguistic modalities of Aragon in the internal and external actions of the Aragonese Corts will be established in the latter's regulations.*
2. *Any person may address the Aragonese Corts in writing in any of the specific languages and linguistic modalities of Aragon, and may be answered, besides in Spanish, in the same language.*

*Article 19. The System of Justice in Aragon.*

1. *the System of Justice of Aragon, in the exercise of its powers, will ensure protection of the linguistic rights acknowledged in this law and also of the fulfilment of its provisions by the public powers.*

*2. Any person may address the System of Justice of Aragon in writing in any of the specific languages and linguistic modalities of Aragon, and may be answered, besides in Spanish, in the same language.*

*3. The System of Justice of Aragon may issue texts, reports and any other type of document, besides in Spanish, in the specific languages and linguistic modalities of Aragon.*

In summary, the citizens of the Catalan-speaking counties of Aragon may address the public administrations in Catalan in the specific Catalan language territory although the laws of Aragon do not guarantee that the administrations will answer them in the original written language. However, Catalan is not protected beyond the Aragonese legislation, since the Statute of Autonomy of Aragon does not make the language official, thus affecting the rights recognised in many state provisions that acknowledge the rights of use of languages that are jointly official in the autonomous communities for the residents in these territories, such as Law 30/1992 of November 26, on the legal system of the public administrations and the common administrative procedure.

### **Other state laws related to linguistic rights**

Many citizens' linguistic rights are also protected by state-wide legislation. Firstly, mention should be made of Article 3 of the **Spanish Constitution**, which states that Spanish is the official language of the State, but that other Spanish languages shall also be official in their respective Autonomous Communities and will enjoy state protection and respect:

*Article 3*

*1. Castilian is the official Spanish language of the State. All Spaniards have the duty to know it and the right to use it.*

*2. The other Spanish languages shall also be official in the respective Autonomous Communities in accordance with their Statutes.*

*3. The wealth of the different language modalities of Spain is a cultural heritage which shall be the object of special respect and protection.*

Moreover, **Law 30/1992 of November 26, on the legal system of the public administrations and the common administrative procedure**, amended by Law 4/1999 of January 13, provides for the rights of citizens from territories with more than one official language to use the official language of their choice in their dealings with the public administrations located in the territory of the Autonomous Community. Title IV guarantees the right to be answered in the chosen language:

*Title IV In the activity of public administrations*

*Chapter I. General regulations*

*Article 35. Rights of citizens*

*Citizens, in their dealings with the public administrations, have the following rights:*

*(...)*

*d) To use the official languages in the territory of their Autonomous Community in accordance with the provisions of this Law and any other law.*

*Article 36 The language of proceedings (article written in accordance with Law 4/1999)*

*Notwithstanding the foregoing, interested parties who address the State Administrations based in the territory of an Autonomous Community may also use the language that is co-official in this Community. In this case, the procedure must be followed in the language chosen by the interested party. If there are several interested parties in the procedure, and there is discrepancy as to the language, the procedure must be followed in Spanish, although any documents or evidence required by the interested parties must be issued in the language of their choice.*

In the legal realm, there is legislation that guarantees citizens' right to use Catalan in court proceedings: it is thus established by the current wording of article 231 of the **Organic Law 6/1985 of July 1, on the Judiciary Power**:

*Title III Judicial actions*

*Chapter I. Oral nature of proceedings, publicity and official language*

*Article 231*

*1. In all judicial activities, Judges, Senior Judges, Public Prosecutors, Clerks of the Court and other officers of the courts and Tribunals shall use the Spanish language, which is the official language of the State.*

*2. Judges, Senior Judges, Public Prosecutors, Clerks of the Court and other officers of the Courts and Tribunals may also use the official language of the Autonomous Community if none of the parties involved oppose this, by claiming a lack of knowledge which could lead to a lack of proper defence.*

3. *The parties, their representatives and those directing them, as well as witnesses, and expert witnesses, may use the official language of the Autonomous Community in whose territory the court action is taking place, both in oral and written statements.*

4. *The court proceedings and documents submitted in the official language of an Autonomous Community have full validity and effect, without the need for a Spanish translation, although they must be translated by default when they are to take effect outside the jurisdiction of the legal bodies located in the Autonomous Community, unless the communities in question share the same official language. They must also be translated when this provided for by law or if one of the parties so demands, claiming lack of proper legal defence.*

Even although this formal right is established, in such cases legislation that makes it possible to enforce the right is not in place. Last year, the **Royal Decree 634/2014, of July 25**, regulating the system of replacements in courts in the profession of prosecutors, was approved. This provision establishes that a prosecutor may take up position without knowing the specific language of the territory to which they are assigned, although such knowledge will be counted as a merit for obtaining the position, as provided for in article 15.1.

*g) Jointly-official languages: Jointly-official languages: knowledge of the jointly-official language of the Autonomous Community, substantiated by means of an official qualification issued by the competent public body, will be rated with up to a maximum of 0.9 points. for this purpose, the levels of knowledge are established: basic, medium or higher, each one with a rating of 0.3 points.*

*The score obtained on account of this merit is only taken into account if the position requested corresponds to the autonomous community in which the language in question is jointly-official.*

The previous report warned that many cases of discrimination reported were caused by the action of the Spanish National Police Force and of the Civil Guard. It is important to point out that in both cases, operating regulations prevent discrimination on account of language. For example, with regard to officers of the National Police Force, since the year 2010 there has been an organic law (**Organic Law 4/2010, of May 20, on the disciplinary regime of the National Police Force**), whose article 7*n* explicitly states that any language-related discrimination, among others, will be regarded as a very serious offence. The same terms are stated in article 7.4 of the **Organic Law 12/2007, of October 22, on the disciplinary regime of the Civil Guard**:

*Article 7 The following are regarded as a very serious offence*

*Any action involving discrimination on the grounds of racial or ethnic origin, religion or beliefs, disability, age, sexual preference, **language**, opinion, place of birth, neighbourhood or any other personal or social condition or circumstance*

However, the guarantee to use the language choice right by a citizen is brought into question if we take into account the fact that Catalan is not an employment prerequisite in territories where it is the official language. Article 7.2 of **Order INT/1176/2013, of June 25, which establishes the specific regulations for the classification and allocation of postings in the Civil Guard Corps** establishes that the specific language is a merit that will be positively evaluated in autonomous communities where the language is official:

*An official qualification in the academic record pertaining to language skills in a jointly official language will be regarded as a specific personal merit for positions in an autonomous community where the language in question is jointly official. It will be rated on a 4-point scale.*

### **European Charter of 5 November 1992, for regional and minority languages**

The European Charter for Regional or Minority Languages was promoted by the Council of Europe in 1992 to protect the historical regional or minority languages of Europe that help to maintain and develop the traditions and cultural wealth of Europe and at the same time guarantee the right to use a regional or minority language in private and public life.

This letter was adopted as a Convention by the Committee of Ministers of the Council of Europe at the 478th meeting of representatives of the ministries on 25 June 1992 and opened for signature by the Member States on 5 November 1992. It entered into force, following ratification by at least five states, on the first of March 1998. It has been signed by a total of 30 states (Spain signed it on November 5, 1992), and ratified by 17. The ratification instrument of 2 February 2001 was published in the Official State Gazette 222 of 15 December (suppl. No. 15 in Catalan, October 1). The Declaration by the Government of Spain in relation to article 2, paragraph 2, and article 3, paragraph 1 of the European

Charter was approved unanimously by Congress on 23 November 2000 and by the Senate on December 20 of the same year.

The mechanism provided for by the Charter, involving the monitoring of compliance by the states through a system of periodical reports, affords this instrument constant interest since it obliges the public authorities to provide information on the measures taken with regard to regional or minority languages. It also gives a voice in the same process to non-governmental organisations, which can send the Council of Europe any complaints and suggestions about the treatment received by the regional or minority languages in the context of a State.

The first part of the Charter lays down the general obligations and commitments of the states that have signed and ratified it:

*A.1. EUROPEAN CHARTER of 5 November 1992, for regional and minority languages*

*Part I. General provisions*

*Article 1 – Definitions*

*For the purposes of this Charter:*

*a) "regional or minority languages" means languages that are:*

- i) traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population; and*
- ii) different from the official language(s) of that State;*

*it does not include either dialects of the official language(s) of the State or the languages of migrants;*

*a) "territory in which the regional or minority language is used" means the geographical area in which the said language is the mode of expression of a number of people justifying the adoption of the various protective and promotional measures provided for in this Charter;*

*b) "non-territorial languages" means languages used by nationals of the State which differ from the language or languages used by the rest of the State's population but which, although traditionally used within the territory of the State, cannot be identified with a particular area thereof.*

*Article 2 – Undertakings*

*1. Each Party undertakes to apply the provisions of Part II to all the regional or minority languages spoken within its territory and which comply with the definition in Article 1.*

*2. In respect of each language specified at the time of ratification, acceptance or approval, in accordance with Article 3, each Party undertakes to apply a minimum of thirty-five paragraphs or sub-paragraphs chosen from among the provisions of Part III of*

*the Charter, including at least three chosen from each of the Articles 8 and 12 and one from each of the Articles 9, 10, 11 and 13.*

*Article 3 – Practical arrangements*

*1. Each Contracting State shall specify in its instrument of ratification, acceptance or approval, each regional or minority language, or official language which is less widely used on the whole or part of its territory, to which the paragraphs chosen in accordance with Article 2, paragraph 2, shall apply.*

*2. Any Party may, at any subsequent time, notify the Secretary General that it accepts the obligations arising out of the provisions of any other paragraph of the Charter not already specified in its instrument of ratification, acceptance or approval, or that it will apply paragraph 1 of the present article to other regional or minority languages, or to other official languages which are less widely used on the whole or part of its territory.*

*3. The undertakings referred to in the foregoing paragraph shall be deemed to form an integral part of the ratification, acceptance or approval and will have the same effect as from their date of notification.*

Part III mentions the measures to promote regional or minority languages in different aspects of public life, such as education, justice, the administrative authorities and public services, the media and economic and social life. Most of the measures are binding upon the states that have signed and ratified the Charter. This section will focus on mentioning and describing the aspects related to public administration and justice:

*A.1. EUROPEAN CHARTER of 5 November 1992, for regional and minority languages*

*Part III – Measures to promote the use of regional or minority languages in public life in accordance with the undertakings entered into under Article 2, paragraph 2*

*Article 10 – Administrative authorities and public services*

***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 this is reasonably possible:***

*a)*

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

*ii) to ensure that such of their officers as are in contact with the public use the regional or minority languages in their relations with persons applying to 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;*

*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 available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;***

***c) to allow the administrative authorities to draft documents in a regional or minority language.***

Point 1 of article 10 establishes States' obligation to ensure citizens' right to express themselves orally and in writing in the regional or minority language before the public authorities, and at the same time that public officials in contact with people speaking Catalan language should use this language and have the documentation in the regional or minority language.

*A.1. EUROPEAN CHARTER of 5 November 1992, for regional and minority languages  
Article 10 – Administrative authorities and public services*

***2. In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as 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 publication by local authorities of their official documents also in the relevant regional or minority languages;*

*d) the publication by regional authorities of their official documents also 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;*

***3. With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, 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:***

***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.*

**4. With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, 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) compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.**

**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.**

Points 2 and 3 of Article 10 of the Charter establish the public uses of these languages in the local and regional administrations: the use of language in the debates of public bodies or the possibility of using it in public relations and in government-related public services, such as health institutions, transport and telecommunications companies, among others. Moreover, Article 9 establishes measures for the promotion of regional and minority languages in the field of justice, which aim to guarantee the linguistic rights of citizens who speak regional or minority languages in court proceedings:

*A.1. EUROPEAN CHARTER of 5 November 1992, for regional and minority languages  
Article 9 Judicial authorities*

**1. The Parties undertake, in respect of those 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 on 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:**

**a) in criminal proceedings:**

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

**b) in civil proceedings:**

*i) to provide that the courts, at the request of one of the parties, shall 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 and, if necessary provide interpreters and translations.*

**c) in proceedings before courts concerning administrative matters:**

*i) to provide that the courts, at the request of one of the parties, shall 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 and, if necessary provide interpreters and translations.*

**d) to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned:**

Points 2 and 3 of article 9 establish the state's commitments to the linguistic rights of the citizens of regional or minority languages in the field of justice, regardless of whether they occur in a region where one of these languages is traditionally spoken, i.e. valid throughout the state. Despite everything, this non-discrimination is still restricted to written documentation:

*A.1. EUROPEAN CHARTER of 5 November 1992, on regional and minority languages  
Article 9 Judicial authorities*

**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, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language, and to provide that they can be invoked against interested third parties who are not users of these languages on 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, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.*

Finally, particular mention should be made of article 7, which establishes the states' commitments to the respect of the geographical area of each regional or minority language, being such commitments aimed at avoiding discriminations

resulting from administrative divisions. A commitment to the derogation of all provisions that discriminate a regional or minority Language is also made:

*A.1. EUROPEAN CHARTER of 5 November 1992, on regional and minority languages  
Article 7 – Objectives and principles*

*1. In respect of 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 practice on the following objectives and principles:*

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

***b) the 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 the promotion of the regional or minority language in question;***

*(...)*

***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 and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.***

In order to guarantee proper fulfilment of the Charter by the States that ratified it, the states must produce a report every three years, justifying fulfilment of each point. Subsequently, the Committee of Experts of the Council of Europe draws up a technical report about fulfilment, documented by visits and consultations to citizens and organisations. The Pro-Language Platform participated in the documentation stage for the three-year period (2010-2013). The latest report, issued on 20 March 2015, warned about discrimination by the Spanish police force. More specifically, of the 46 points in which it observed that Spain's undertakings were not fulfilled or partially fulfilled in the 2007-2010 period, the new report only awards the fulfilled rating to 9 of them, whereas it certifies a reduction in two undertakings that were regarded as fulfilled.

The review phase of the undertakings ends with a document of recommendations by the Council of Ministers of the Council of Europe, which it issues after reading the report by the Committee of Experts. In the latest recommendations, issued on 20 January 2016, the Council of Ministers called

upon Spain to modify the legal framework in order to permit a greater use of Catalan in justice, to take measures to guarantee training of the personnel of the State Administration in the languages covered, such as Catalan in Catalonia, the Valencian Country and the Balearic Islands or else guarantee suitable presence of the co-official languages with Spanish in the area of health. The report you are holding is proof of the effects generated by the shortcomings of the Spanish administrations that led to these recommendations.

### **Universal Declaration of Human Rights and the Universal Declaration of Linguistic Rights**

In 1948, the General Assembly of the United Nations of Paris adopted and proclaimed the **Universal Declaration of Human Rights**, a document of thirty articles underlining human rights considered as basic and applied without exception to all human beings. It is the basic document of a series of treaties that complete the International Bill of Human Rights, voted in 1976, when it became an international law. Although states are not required to fulfil the requirements set out in the declaration, the document is mentioned in the Spanish Constitution of 1978 (article 10.2) that recognises it as one of the sources of law. Article 2 of this declaration clearly states that there may be no kind of distinction or discrimination against people according to language and other parameters:

*Universal Declaration of Human Rights Article 2 Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, **language**, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.*

Complementary to this, article 7 dictates that everyone is equal before the law and that distinctions cannot be made for reasons such as language that affect protection vis-à-vis the law or which cause any type of discrimination:

*Universal Declaration of Human Rights  
Article 7*

*All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.*

Moreover, the PEN International drew up and presented the **Universal Declaration of Linguistic Rights** in 1998 in Barcelona. The declaration was supported by worldwide figures from the world of culture such as Rigoberta Menchú, Noam Chomsky, Desmond Tutu, John Oró, Shimon Peres, Yasser Arafat or Octavio Paz, and it enjoyed the technical and moral support of the UNESCO. The text was approved at the World Conference on Linguistic Rights (WCLR) held in 29 Barcelona, with the participation of 61 NGOs, 41 PEN Centres and 40 experts in linguistic law from all over the world.

This declaration establishes the right of individuals of all language communities to use their language in the public and private sphere and condemns all kinds of linguistic discrimination:

*Universal Declaration on Linguistic Rights*

*Concepts*

*Article 1*

*(...)*

*2. This Declaration takes as its point of departure the principle that linguistic rights are individual and collective at one and the same time and adopts as its referent the case of a historical language community within its own territorial space, this space being understood, not only as the geographical area where the community lives, but also as the social and functional space vital to the full development of the language. Only on this basis is it possible to define the rights of the language groups mentioned in point 5 of the present article, and those of individuals living outside the territory of their community, in terms of a gradation or continuum.*

*(...)*

*Article 3*

*1. This Declaration considers the following to be inalienable personal rights which may be exercised in any situation: the right to be recognized as a member of a language community the right to the use of one's own language both in private and in public the right to the use of one's own name; the right to interrelate and associate with other members of one's language community of origin the right to maintain and develop one's own culture; and all the other rights related to language which are recognized in the International Covenant on Civil and Political Rights of 16 December 1966 and the International Covenant on Economic, Social and Cultural Rights.*

2. *This Declaration considers that the collective rights of language groups, may include the following, in addition to the rights attributed to the members of language groups in the foregoing paragraph, and in accordance with the conditions laid down in article 2.2: the right for their own language and culture to be taught; the right of access to cultural services;*

*the right to an equitable presence of their language and culture in the communications media;*

*the right to receive attention in their own language from government bodies and in socioeconomic relations.*

3. *The aforementioned rights of persons and language groups must in no way hinder the interrelation of such persons or groups with the host language community or their integration into that community. Nor must they restrict the rights of the host community or its members to the full public use of the community's own language throughout its territorial space.*

Besides the rights established in the preamble of the Universal Declaration of Human Rights, section I of the Second Title details linguistic rights in relation to the public administration and the official bodies:

*Universal Declaration on Linguistic Rights*

*SECOND TITLE. Overall Linguistic Regime*

*Public administration and official bodies*

*Article 15*

1. *All language communities are entitled to the official use of their language within their territory.*

2. *All language communities have the right for legal and administrative acts, public and private documents and records in public registers which are drawn up in the language of the territory to be valid and effective and no one can allege ignorance of this language.*

*Article 16*

*All members of a linguistic community has the right to interact and be treated in their own language for utilities or central administrative divisions, regional, and local supraterritorial belongs to the territory where the language itself.*

*Article 17*

1. *All language communities are entitled to have at their disposal and to obtain in their own language all official documents pertaining to relations which affect the territory to which the language is specific, whether such documents be in printed, machine-readable or any other form.*

2. *Forms and standard administrative documents, whether in printed, machine-readable or any other form, must be made available and placed at the disposal of the public in all territorial languages by the public authorities through the services which cover the territories to which each language is specific.*

*Article 18*

*1. All language communities are entitled to the laws and other legal provisions appear in the language of the territory.*

*2. Public authorities who have more than one territorially historic language within their jurisdiction must publish all laws and other legal provisions of a general nature in each of these languages, whether or not their speakers understand other languages.*

*Article 19*

*1. Representative Assemblies must have as their official language(s) the language(s) historically spoken in the territory they represent.*

*2. This right also applies to the languages of the communities established in geographically dispersed locations referred to in Article 1, Paragraph 4.*

*Article 20*

*1. Everyone has the right to use the word written in the Courts of Justice, the language historically spoken in a territory where they are located. The Courts of Justice must use the language specific to the territory in their internal actions and, if on account of the legal system in force within the state, the proceedings continue elsewhere, the use of the original language must be maintained.*

*2. In any case everyone has the right to be tried in a language which he understands and can speak and to get a free interpreter.*

*Article 21*

*All language communities have the right for records in public registers to be drawn up in the language specific to the territory.*

*Article 22*

*All language communities have the right for documents authenticated by notaries public or certified by other authorized public servants to be drawn up in the language specific to the territory where the notary or other authorized public servant performs his/her functions.*

This statement, provides a greater guarantee of the individual and collective linguistic rights than the current legislation in the Catalan-speaking territories. A good example of this are the guarantees of use of one's own language in the legal field, as it establishes the normal use of the historic language in the courts of justice and also guarantees that the original language must be maintained even if the judicial process is held outside the country of origin. It also ensures that citizens of a country with its own language can deal with the central government in their own language and be served in the same language.

Section 4 of the second title of the overall linguistic regime lists the linguistic rights in the sphere of place names and proper names:

*Universal Declaration on Linguistic Rights*

*SECOND TITLE Overall Linguistic Regime*

*Section 3 Proper names*

*Article 31*

*All language communities have the right to preserve and use their own system of proper names in all spheres and on all occasions*

*Article 32*

*1. All language communities have the right to use place names in the language specific to the territory, both orally and in writing, in the private, public and official spheres.*

*2. All language communities have the right to establish, preserve and revise autochthonous place names. Such place names cannot be arbitrarily abolished, distorted or adapted, nor can they be replaced if changes in the political situation, or changes of any other type, occur.*

*Article 33*

*All language communities have the right to refer to themselves by the name used in their own language. Any translation into other languages must avoid ambiguous or pejorative denominations.*

*Article 34*

*Everyone has the right to the use of his/her own name in his/her own language in all spheres, as well as the right, only when necessary, to the most accurate possible phonetic transcription of his/her name in another writing system.*

In this case, the wording of the Universal Declaration of Linguistic Rights is quite similar to the legislation in Catalonia. On the other hand, the Valencian legislation does not yet fully guarantee the use of place names in the own language.

Finally, the last noteworthy point of this declaration is Section VI of the second title, dedicated to the linguistic rights of consumers and users. In this area, Catalan law is more developed, without reaching the rights established in the Universal Declaration of Linguistic Rights, whereas, on the other hand, these aspects are barely regulated in Valencia and the Balearic Islands:

*Universal Declaration of Linguistic Rights*

*SECOND TITLE Overall Linguistic Regime*

*Section VI The socioeconomic sphere*

*Article 47*

*1. All language communities have the right to establish the use of their language in all socioeconomic activities within their territory.*

2. *All members of a language community are entitled to have at their disposal, in their own language, all the means necessary for the performance of their professional activities, such as documents and works of reference, instructions, forms, and computer equipment, tools and products.*

3. *The use of other languages in this sphere can only be required in so far as it is justified by the nature of the professional activity involved. In no case can a more recently arrived language relegate or supersede the use of the language specific to the territory.*

*Article 48*

1. *Within the territory of his/her language community, everyone has the right to use his/her own language with full legal validity in economic transactions of all types, such as the sale and purchase of goods and services, banking, insurance, job contracts and others.*

2. *No clause in such private acts can exclude or restrict the use of the language specific to the territory.*

3. *Within the territory of his/her language community, everyone is entitled to have the documents required for the above-mentioned operations at his/her disposal in his/her own language. Such documents include forms, cheques, contracts, invoices, receipts, delivery notes, order forms, and others.*

*(...)*

*Article 50*

1. *All language communities have the right for their language to occupy a pre-eminent place in advertising, signs, external signposting, and in the image of the country as a whole.*

2. *Within the territory of his/her language community, everyone has the right to receive full oral and written information in his/her own language on the products and services proposed by commercial establishments, such as instructions for use, labels, lists of ingredients, advertising, guarantees and others.*

3. *All public indications affecting the safety of persons must be expressed at least in the language specific to the territory, in conditions which are not inferior to those of any other language.*

*Article 51*

1. *Everyone has the right to use the language specific to the territory in his/her relations with firms, commercial establishments and private bodies and to be served or receive a reply in the same language.*

2. *Everyone has the right, as a client, customer, consumer or user, to receive oral and written information in the language specific to the territory from establishments open to the public.*

## 4. Methodology

This report includes 37 new cases of linguistic discrimination for using Catalan language in the public administrations in the period comprised between July 1, 2013 and December 31, 2015 in Catalan-speaking territories under Spanish sovereignty (including one case that occurred abroad but was related to formalities processed in Catalonia). As was stated in the introduction, these cases do not account for all cases of discrimination occurred, since a large part of these cases are not covered in the press or reported to the administrations or organisations that defend linguistic rights, and therefore, as they are not detected, cannot be included in the study.

***Language discrimination in the public administration is defined as the physical or mental harassment of a person on the grounds of the language used in their official relations with public organisations or institutions, as well the refusal to be served in a public administration for using Catalan.*** It should be remembered that both Spanish and autonomous legislation prohibit any kind of linguistic discrimination and implement a series of linguistic rights that protect citizens in their dealings with the public institutions, which the latter are duty bound to fulfil and enforce.

The study focuses on individual rights and on cases in which the Spanish legislation is not fulfilled, and therefore on cases of harassment involving an identifiable victim. After the case descriptions, a summary will be provided regarding the existence of other discriminations that should involve the strict enforcement of Spanish law, but which, despite Spain having ratified the Charter of regional or minority languages, continue to exist in the State's body of laws.

The cases and the additional information were compiled in two complementary ways; firstly, the cases of linguistic discrimination reported by citizens to the Pro-Language Platform over the years studied were collated, and information was requested from the organisations that form the Federació Llull (Acció Cultural del País Valencià, Obra Cultural Balear and Òmnium Cultural) on cases of linguistic discrimination in the public administrations which they have handled, or legally defended, if the cases reached the courts. And secondly, through a bibliographic search in the media for such cases during the 2007-

2013 period. In several cases, both channels were used to obtain the greatest possible degree of information on linguistic discrimination. It should also be emphasised that some cases were not included due to lack of information or doubts regarding the veracity of the case or the source in which it was reported.

Below is the list of organisations, media and institutions or bodies consulted in the compiling of cases of linguistic discrimination in the public administrations. Nevertheless, the source of the information is stated in each one of the 87 cases of linguistic discrimination cases:

*Organisations engaged in the defence, promotion and dissemination of Catalan language and culture or institutions for the defence of the citizens:*

- Plataforma per la Llengua (Pro-Language Platform)
- Acció Cultural del País Valencià
- El Tempir
- Fundació Catalunya
- Juristes per la Llengua pròpia (Pro-Language Jurists)
- Obra Cultural Balear
- Òmnium Cultural
- Ombudsman of the Valencian Community

*Communications media and information agencies:*

- Agència Catalana de Notícies
- Diari Ara
- Diari de Balears
- Diari de Girona
- Diari de Tarragona
- Directe.cat
- Ebre Exprés
- El Mundo
- El Periódico

- El Punt Avui
- Europa Press
- L'Accent. Periòdic Popular dels Països Catalans
- La Marina Plaza
- La Vanguardia
- La Veu del País Valencià
- Llibertat.cat
- Nació Digital
- Racó Català
- Ràdio Pego
- Reus Digital
- Segre
- Setmanari La Directa
- Vilaweb

As can be seen, the list includes the main news agencies in Catalonia and Spain: *Europa Press* and *Agència Catalana de Notícies*; including important Catalan or state-wide media, such as *La Vanguardia*, *Diari Ara*, *El Periòdic*, *El Mundo* or *EIPuntAvui*; and local (*Diari de Girona*, *Diari de Tarragona*, *Ebre Exprés*, *La Marina Plaza* or *Segre*) or digital (*Vilaweb*, *l'Accent*, *Nació Digital*, *Directa.cat* media or *Llibertat.cat*).

The template used to gather information from the previous 40 cases was also used to guarantee that information collection was uniform. However, the previous cases (the 40 from the report and the 10 additional ones) are provided as a reminder in a brief format. The new cases are numbered from 1 to 37, although they are also numbered beginning at 51 in italics in order to describe their position in the overall 87 cases.

**Figure 3.1.** Example of the fact sheet template for recording cases of linguistic discrimination in the public administrations

Date	Administration	Organisation	Place	Territory
<b>Victim:</b>				
<b>Description of the case:</b>				
<b>Source:</b>				

*Source: Own data.*

When completing the sheets, priority is always given to the **date** on which the discrimination actually took place, although in some cases the exact date is not known, hence the date on which the case was reported in the press is given. The **administration** variable includes the administration involved in the discrimination: central administration, autonomous administration or local administration. Additionally, the **organisation** box details the specific institution involved in the case. The **place** box states the municipality and county where the discrimination took place. If the discrimination occurred in an organisation or institution outside the Catalan-speaking territories, the victim's place of residence is given. Finally, the **territory** variable provides for 4 possible answers, which pertain to the three main areas of Catalan language and culture in Spain: Catalonia, the Catalan-speaking counties of Aragon, the Balearic Islands and the Valencian Country.

In the identification of **victims**, a different criterion was applied based on different parameters. In cases in which the victim's name appeared in the media or the victim gives their permission to the organisations engaged in the defence of Catalan language and culture to make their name public, the name is given. Conversely, if the discrimination has been reported to an organisation engaged in the defence of Catalan language and the victim's name was not made public

in the media, the victim's initials are given. Finally, there are a few cases that reached the media in which the victim chose to remain anonymous. Obviously, in such cases the victim's anonymity is safeguarded and the town where the citizen lives is given. The discrimination suffered by the citizen at the hands of the public administration is then described with precision and in detail. Finally, the last box in the fact sheet template gives the news heading or press release, accompanied by the name of the medium, news agency or organisation, plus a link.

## 5. Compilation of linguistic discrimination cases: July 2013 - June 2015

**1** (51). A citizen is accused of disturbing the peace by a local policeman from Campello for speaking Catalan and saying that his name was Lluís-Xavier

Date	Administration	Organisation	Place	Territory
12/07/2013	Local administration	Local Police of Campello	El Campello (Alacant)	Valencian Country
Victim: <b>Lluís-Xavier Flores, a resident of Alacant</b>				
<p>Description of the case: <b>Lluís-Xavier Flores, a resident of Alacant, was discriminated against by a local policeman from Campello (Alacant). The officer took offence because Lluís Xavier spoke to him in Catalan, and matters were made worse when the victim told him that his name was "Lluís Xavier" and not the translation of the name into Spanish. The officer decided to report Lluís-Xavier for "disturbance" and "altercations", also adding that the victim had tried to escape, an allegation flatly denied by Lluís-Xavier. Both two fines amounted to €400.</b></p> <p>The victim publicly reported his case with the support of political parties and the Tempir d'Elx Association, and lodged a petition with the Town Council of Campello and the relevant office of the Spanish Government, asking for the police complaint to be withdrawn and for the local police officer to apologise for unprofessional behaviour and failure to respect citizens' civil and linguistic rights.</p>				
<p>Source:  <i><b>Our support to Lluís Xavier Flores, victim of the insults of a local policeman for speaking Valencian.</b></i> El Tempir. Associació Cívica per la Llengua a Elx  <a href="http://www.eltempir.cat/ca/2013/07/12/el-nostre-suport-a-lluis-xavier-flores-victima-dels-insults-dun-policia-local-per-parlar-li-en-valencia/">www.eltempir.cat/ca/2013/07/12/el-nostre-suport-a-lluis-xavier-flores-victima-dels-insults-dun-policia-local-per-parlar-li-en-valencia/</a>  <i><b>Elx will report a case of linguistic discrimination.</b></i> El PuntAvui  <a href="http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/679777-elx-denunciara-la-discriminacio-lingueistica.html">http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/679777-elx-denunciara-la-discriminacio-lingueistica.html</a> </p>				

## 2 (52). The National Police Force refuses to allow a citizen from Palma to lodge a complaint in Catalan

Date	Administration	Organisation	Place	Territory
21/07/2013	Central State Administration	National Police Force	Palma (Majorca)	Balearic Islands
Victim: <b>Dídac Martorell and a friend</b>				
<p>Description of the case: <b>Dídac Martorell and a companion were robbed on July 21, 2013, in Palma. They immediately went to the National Police Force station on the beach in Palma. The citizen began to explain what had happened to a police officer, who asked him (in Spanish) "Would you mind speaking Spanish?", whereupon Dídac courteously asked him if he could be dealt with by an officer who understood the local language. On refusal by the officer to attend to him in Catalan, Dídac said that according to the effective legal regulations and the Statute of Autonomy he had the right to be dealt with in Catalan. One of the officers responded "This is a National Police Force station" and that if he wanted to be attended to in his language he could go to a Local Police Station.</b></p> <p>At the same time, several officers began to make sarcastic remarks at Dídac and his friend, such as repeating "<i>Rights and duties, rights and duties</i>" in a mocking tone and (in Catalan) "<i>Yeah, we'll have someone learn Majorcan right away, just for you</i>". The victim eventually had to leave the police station without being able to report the robbery.</p>				
<p>Source:  <b><i>New case of linguistic discrimination by the National Police Force.</i></b> Diari de Balears  <a href="http://dbalears.cat/actualitat/balears/nou-cas-discriminacio-linguistica-per-part-policia-nacional.html">http://dbalears.cat/actualitat/balears/nou-cas-discriminacio-linguistica-per-part-policia-nacional.html</a></p>				

### 3 (53). A citizen is arrested at a demonstration in Elx for speaking Catalan to a National Police Force officer

Date	Administration	Organisation	Place	Territory
22/07/2013	Central State Administration	National Police Force	Elx (Baix Vinalopó)	Valencian Country
Victim: <b>Paco Muñoz Giménez, a resident of Elx</b>				
<p>Description of the case: <b>During a demonstration of some 50 people protesting against the cases of corruption in the State government, Paco Muñoz, a well-known member of the Tortuga Anti-military Group, was asked to identify himself by a National Police Force officer. Paco, who at no time refused to identify himself, told the officer that he was not carrying his identity card. The officer reacted abruptly by retorting "Don't speak to me in fucking Valencian", and Paco was promptly arrested and taken to the police station.</b></p> <p>Once in the station, and having been orally identified, he was released with three charges, one of them for disobedience of authority for refusing to identify himself, which, according to witnesses, never happened. In actual fact, the regulations establish that the identification could have taken place at the site of the demonstration and that the arrest was prompted by the fact that he spoke Catalan to the officer, as emphasised by the Tempir d'Elx association.</p>				
<p>Source:  <b><i>The El Tempir association reports a new case of linguistic discrimination in Elx for speaking to a police officer in Catalan.</i></b> Vilaweb  <a href="http://www.vilaweb.cat/noticia/4143605/20130913/lassociacio-tempir-denuncia-cas-discriminacio-linguistica-elx-adreca-policia-catala.html">http://www.vilaweb.cat/noticia/4143605/20130913/lassociacio-tempir-denuncia-cas-discriminacio-linguistica-elx-adreca-policia-catala.html</a>  <b><i>Support to Paco Muñoz Giménez, arrested by the National Police Force for speaking Valencian.</i></b> El Tempir. Associació Cívica per la Llengua a Elx  <a href="http://www.eltempir.cat/ca/2013/07/22/suport-a-paco-munoz-gimenez-detingut-per-la-policia-nacional-per-parlar-los-en-valencia/">http://www.eltempir.cat/ca/2013/07/22/suport-a-paco-munoz-gimenez-detingut-per-la-policia-nacional-per-parlar-los-en-valencia/</a> </p>				

#### 4 (54). A resident of Puçol, falsely reported in a routine control by the Civil Guard for speaking Catalan

Date	Administration	Organisation	Place	Territory
03/08/2013	Central State Administration	Civil Guard	Puçol (Horta Nord)	Valencian Country

Victim: Rubén Durà, a resident of Puçol

Description of the case: Rubén Durà and another four occupants of a car were stopped by a Civil Guard traffic control on the evening of August 8 in the town of Puig.

One of the officers rudely told the five passengers to get out of the vehicle and Rubén told the Civil Guard, in Spanish, that he would have to take off his seat belt first. Once outside the car, Rubén addressed the officer in Catalan, and from that moment onwards the officer adopted a haughty and aggressive attitude. Once the vehicle had been searched and nothing abnormal detected in it, the Civil Guard officer told another officer to report two of the occupants for not wearing a seat belt (oddly enough, the two people that had spoken Catalan), which led to the indignation of Rubén and his friends.

The following day, Rubén went to the Civil Guard station in Puçol to present a complaint about the false report and for the way he had been treated. Addressing the officers in Spanish, the latter tried to justify their colleagues' attitude with comments such as *"If you spoke to him in Valencian it's only natural that he took offence"* or *"The truth is that it really bugs you when people speak to you in Valencian"*. The complaint against Ruben was not dropped and he had to put up with the anti-Catalan remarks made by the Civil Guard officers.

Source:

***A resident of Puçol, victim of a false Civil Guard report for speaking Valencian.*** La Veu del País Valencià <http://www.laveupv.com/noticia/3936/un-vei-de-pucol-victima-duna-denuncia-falsa-de-la-guardia-civil-per-parlar-en-valencia>

## 5 (55). Two young people beaten and humiliated by security guards and civil guards in the Arenal Sound festival in Borriana for speaking Valencian

Date	Administration	Organisation	Place	Territory
04/08/2013	Central State Administration	Civil Guard	Borriana (Plana Baixa)	Valencian Country

Victim: **Two young men from Castelló de la Plana**

Description of the case: **On the second night of the Arenal Sound de Borriana Music Festival, four young people from Valencia (two boys and two girls) were just about to enter the festival premises. One of the boys asked the security guard who was searching them: "Do you speak Valencian?", as he had heard of the case of linguistic discrimination that had occurred at the same festival the day before, and the security guard responded in Spanish "I only speak Andalusian". He let them through without any further ado, but a few metres further on another safety guard approached them and said: "Why do you ask?" Because of what happened the other night? Speak to me in Spanish!" The other young man, feeling aggrieved and enraged, retorted "You are a fascist!" Suddenly, five security guards surrounded the young man and one of them grabbed him by the neck while he twisted his arm and then shoved him a few metres away. The other young man tried to defend his friend and threatened with calling the police. He was pushed and thrown on the ground by a security guard, who subsequently kicked him. This all happened just a few metres away from a civil guard who looked on as if nothing was happening. The young man called for help and the civil guard replied that he had started it. Moreover, a group of security guards and civil guards demanded an apology from the young man to let him enter the premises. He refused, at which point the youngest civil guard punched him in the back.**

**The following day, the young men went to the hospital and with the hospital report they lodged a complaint against the security guards and the civil guards.**

Source:

***Punched and kicked for speaking Catalan on the last night of Arenal Sound. Vilaweb***

<http://www.vilaweb.cat/noticia/4137716/20130806/cops-peu-puny-haver-parlat-catala-lultima-nit-darenal-sound.html>

## 6 (56). A Court in Vinaròs refused to accept a complaint submitted in Catalan alleging that it is not an official language in the Autonomous Community of Valencia

Date	Administration	Organisation	Place	Territory
22/8/2013	Central State Administration	Court of Vinaròs	Vinaròs (Baix Maestrat)	Valencian Country
Victim: <b>Two law practices (from Sant Carles de la Ràpita and la Sènia)</b>				
<p>Description of the case: <b>Last August, two law practices from Terres de l'Ebre were warned by the secretary of the court of first instance number one of Vinaròs that their actions would be rejected because they had been written in Catalan and called upon them to provide a Spanish translation whenever they presented an action in Catalan.</b></p> <p>The lawyers insisted that the decision to address the court in Catalan is protected by the Organic Law and that Valencian is an official language of the Autonomous Community of Valencia. Nevertheless, the court secretary, contradicting the criteria officially expounded by the Valencian Language Academy, the highest-ranking institution in language matters in the Valencian Country, considered that Catalan and Spanish were two different languages, for which reason he required that the aforementioned law practices furnish a copy of the appeal presented in Spanish, warning them that failure to do so would lead the documents to be rejected, while also citing articles about possible penalties.</p> <p>The lawyers complained that they had three cases paralysed in the Courts for this reason, and informed Cultural Action of the Autonomous Community of Valencia and the language commission of Terres de l'Ebre and the Bar of Tortosa.</p>				
<p>Source:  <b><i>A court of Vinaròs demands Spanish of lawyers from the Ebre.</i></b> EIPuntAvui  <a href="http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/671782-un-jutjat-de-vinaros-exigeix-el-castella-a-advocats-de-lebre.html?cca=1">http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/671782-un-jutjat-de-vinaros-exigeix-el-castella-a-advocats-de-lebre.html?cca=1</a> </p>				

**7** (57). An ex-councillor from Olleria was harassed by a National Police Force officer for addressing him in Catalan in Valencia.

Date	Administration	Organisation	Place	Territory
23/08/2013	Central State Administration	National Police Force	Valencia (City of Valencia)	Valencian Country
Victim: <b>Josep Vidal, ex-councillor of Olleria (Vall d'Albaida)</b>				
<p>Description of the case: <b>The official of the Autonomous Government of Valencia, Josep Vidal, was leaving the administrative city on October 9, in Valencia, when an officer of the National Police Force ordered him to identify himself. Josep was stunned and asked why he had been asked to provide identification. The officer, visibly annoyed, shouted at him: "I don't have to give you any reason, and I want you to talk to me in Spanish out of good manners!" As of that moment, the officer became gradually more aggressive towards the citizen and kept on reproaching him for having addressed him in Valencian.</b></p> <p><b>A few minutes later, another National Police Force officer arrived on the scene and tried to play down the situation. Even so, the second officer reproached him for speaking Catalan and added "who do you think you are", referring to his use of Catalan.</b></p> <p><b>The victim said that he would report them to the Police General Directorate and did not rule out taking legal action if satisfactory measures were not taken.</b></p>				
<p>Source:  <b>An ex-councillor of Olleria, victim of a new case of language discrimination by the police. Vilaweb</b>  <a href="http://www.vilaweb.cat/noticia/4140008/20130823/ex-regidor-lolleria-victima-cas-discriminacio-linguistica-policia.html">http://www.vilaweb.cat/noticia/4140008/20130823/ex-regidor-lolleria-victima-cas-discriminacio-linguistica-policia.html</a></p>				

**8 (58). A National Police Force officer refuses to process a complaint by a citizen because the latter spoke to him in Valencian, calling upon the citizen to "speak Spanish"**

Date	Administration	Organisation	Place	Territory
13/09/2013	Central State Administration	National Police Force	Elx (Baix Vinalopó)	Valencian Country
Victim: <b>Francisco Escortell, a resident of Elx</b>				
<p>Description of the case: <b>A resident of Elx contacted the National Police Force to report an illegal file downloaded by his son. He was told to bring the illegal material to the police station on a transportable electronic device in order to make the relevant complaint.</b></p> <p><b>In the course of his second visit to the police station on account of the matter, the duty officer demanded that he spoke Spanish otherwise he would not attend to him. Evincing a very aggressive attitude, the officer pointed to the badge on his lapel, and in a very haughty way asked him "What is this?" and added "This is Spain!"</b></p> <p><b>In view of the grotesque turn of events, Francisco asked to have another officer attend to him in Catalan, but the officer refused and added that if he wanted to be attended to in Valencian then he should go to the local police station in Elx to make the report. Francisco then asked for the complaints book and the police officer answered that they did not have one. He also refused to give him his badge number, although he did give him a number, albeit without any document that substantiated it.</b></p> <p><b>Finally, the victim had to leave the station without filing the report and decided to lodge a complaint on account of the way he had been handled.</b></p>				
<p>Source:</p> <p><b>"Speak Spanish, this is Spain". La Veu del País Valencià</b>  <a href="http://www.laveupv.com/noticia/4649/hableme-en-espanol-esto-es-espana">http://www.laveupv.com/noticia/4649/hableme-en-espanol-esto-es-espana</a></p> <p><b>El Tempir reports a new case of language discrimination in Elx by a National Police officer and expresses its solidarity with Francisco Escortell. El Tempir</b>  <a href="http://www.eltempir.cat/ca/2013/09/13/el-tempir-denuncia-un-nou-cas-de-discriminacio-linguistica-produida-a-elx-per-un-policia-nacional-i-es-solidaritzamb-francesc-cortell/">http://www.eltempir.cat/ca/2013/09/13/el-tempir-denuncia-un-nou-cas-de-discriminacio-linguistica-produida-a-elx-per-un-policia-nacional-i-es-solidaritzamb-francesc-cortell/</a></p>				

## 9 (59). A court in Barcelona denies a lawyer the right to submit a legal action in Catalan

Date	Administration	Organisation	Place	Territory
18/11/2013	Central State Administration	Business Court of Barcelona Number 11	Barcelona (Barcelonès)	Catalonia
Victim: <b>Miquel Panadès, lawyer</b>				
<p>Description of the case: <b>The lawyer Miquel Panadès asked the business court number 11 to use Catalan in a legal procedure. Miquel was entitled to do so as provided for by article 13.3 of the Language Planning Law and other state and international regulations (European Charter for Regional or Minority Languages), although the court secretary refused to comply. He argued that the request had been rejected "Because Spanish is the official and common language, without prejudice to the parties' right to use other languages that are recognised as jointly-official".</b></p> <p><b>The lawyer, in view of the infringement of his language rights, submitted a complaint to the Higher Court of Justice of Catalonia (TSJC), stating that the existing legislation, jurisprudence and even a ruling by the same court endorsed his complaint and overruled the court's decision.</b></p> <p><b>The TSJC suggested that the court secretary observe this right. Ultimately, this finding, and the fact that it coincided with the retirement of the court secretary and the incorporation of a new one, eventually led the right to have the proceedings conducted in Catalan be observed.</b></p>				
<p>Source:  <b><i>A lawyer is denied his right to use Catalan in a legal action.</i></b> El Punt Avui  <a href="http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/694408-deneguen-a-un-advocat-el-dret-a-demanar-el-catala-en-un-procediment-judicial.html?cca=1">http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/694408-deneguen-a-un-advocat-el-dret-a-demanar-el-catala-en-un-procediment-judicial.html?cca=1</a></p>				
<p><b>Personal account by Miquel Panadès.</b></p>				

## 10 (60). A grandfather and his grandson are ejected from a TALGO train by a conductor for speaking Catalan

Date	Administration	Organisation	Place	Territory
05/12/2013	Central State Administration	RENFE (State-owned Railway Company)	Montcada i Reixac (Vallès Occidental)	Catalonia

Victim: **Josep Maria Sagrera and his four-year-old grandson**

Description of the case: **Josep Maria Sagrera, a 72-year-old resident of Girona, decided to go to Barcelona to fetch his grandson to take the TALGO train between Barcelona and Girona because the child loved trains.**

**Grandfather and grandson took a TALGO train departing from Sants station at 4.40 pm on December 5, 2013. When the train reached the Passeig de Gràcia station, the conductor entered the carriage and asked to see their tickets. When the grandfather asked the conductor in Catalan if the child, aged four years old, had to pay, the RENFE worker responded, in a "very rude and angry tone", that all children had to pay as of 2013.**

**The passenger decided to pay the child's ticket, and after the conductor refused to accept payment by credit card, he went to fetch change to pay in cash. However, at that point moment the conductor retorted, in Spanish: "Fine, but now I can't be bothered. I can't stand Catalans and I swear to God that you are getting off this train". She had the train stopped in the Montcada i Reixac station, and very rudely made them alight, causing the young child to cry.**

**The grandfather and his grandson had to wait well into the evening (it was December) at that station and did not reach Girona until 8 pm. The TALGO was scheduled to reach Girona at 5:46 pm. Josep Maria reported the case and said that he believed that they had been removed from the train simply because he had spoken to the conductor in Catalan. RENFE reacted by investigating the case, and assigned a colleague to the conductor for the purpose of checking train tickets. The company also apologised to the victims and offered them compensation for the harsh discrimination that they had suffered. Not long after these events, the conductor announced that she was considering presenting a claim for damages.**

Source:

***A Talgo train conductor ejects a grandfather and his grandson for being Catalan. El Punt Avui***

<http://www.elpuntavui.cat/noticia/article/1-territori/-/700188-la-revisora-dun-talgo-fa-baixar-un-avi-i-un-net-per-ser-catalans.html>

***The conductor who had two passengers removed from the train because they were Catalan is now threatening to report them. Vilaweb***

<http://www.vilaweb.cat/noticia/4161210/20131211/revisora-baixar-dos-passatgers-eren-catalans-amenaca-denunciar-los.html>

## 11 (61). A civil guard of the Assistant Office of the Spanish Government in Castelló obliges a member of the Regional Assembly of Valencia to speak Spanish.

Date	Administration	Organisation	Place	Territory
01/02/2014	Central State Administration	Civil Guard	Castelló de la Plana (Plana Alta)	Valencian Country
<p>Victim: <b>Marina Albiol</b>, a member of the European Parliament and a former member of Parliament for the Esquerra Unida party in the Regional Assembly of Valencia in the Community of Valencia.</p>				
<p>Description of the case: <b>The Euro-MP went to the Assistant Office of the Spanish Government in Castelló de la Plana to submit a complaint against the prospecting for oil in the Columbretes archipelago. On entering, the MP encountered a civil guard, telling him that she was going to the registry, and the officer quickly answered that he did not understand her and that she should speak Spanish. The MP repeated the request in Catalan, and he insisted that he did not understand her and told her again to repeat it in Spanish.</b></p> <p><b>The MP reported the harassment by submitting a formal complaint to the Assistant Office of the Spanish Government in Castelló and also declared that "this situation cannot keep happening, as unfortunately it does", and added that "We cannot remain silent. We cannot be made to feel like the character of <i>Tio Canya</i>. Our language is our own and official, which means that it is the language of the administrations and institutions and that the latter must use it as a normal medium of communication and therefore that citizens can use it and be answered in it. Having to remind people of this continually is really sad". <i>Tio Canya</i> is a popular character from a Valencian song who was bullied at school and in the city for not speaking Spanish.</b></p>				
<p>Source: <b><i>Marina Albiol denounces linguistic discrimination in the Assistant Office of the Spanish Government in Castelló.</i></b> Vilaweb  <a href="http://www.vilaweb.cat/noticia/4170744/20140202/marina-albiol-denuncia-discriminacio-linguistica-subdelegacio-govern-espanyol-castello.html">http://www.vilaweb.cat/noticia/4170744/20140202/marina-albiol-denuncia-discriminacio-linguistica-subdelegacio-govern-espanyol-castello.html</a></p>				

**12** (62). A female judge from Tenerife takes custody off of a mother who went to live in Ripollet because she considers that Catalan could be a "problem" for the young girl.

Date	Administration	Organisation	Place	Territory
21/03/2014	Central State Administration	Court of first instance of Güímar (Canary Islands)	Ripollet (Vallès Occidental)	Catalonia
Victim: <b>Minor and the mother of the minor (Nadya)</b>				
<p>Description of the case: <b>A female judge from the court of first instance of Güímar (Canary Islands) issued a legal finding in which she withdrew the custody of a four-year-old girl from her mother, who had moved to Ripollet (Vallès Occidental), alleging that she had failed to demonstrate that learning Catalan was not "hampering the child's evolution". The magistrate stressed that the change of address is compounded by the difficulty in learning the jointly-official language, Catalan. She added that "neither has it been demonstrated that the minor has adapted to the language and that this circumstance is not hampering her evolution". The child's mother immediately lodged a complaint, regarding the sentence as "discriminatory and sexist", and announced that she was preparing an appeal to the Courts of Tenerife Moreover, she added that according to the latest report from the Els Pinetons de Ripollet school, the young girl "understands the explanations given in Catalan well".</b></p>				
<p>Source:  <b><i>A young girl is separated from her mother because Catalan is a hindrance.</i></b>  <b>EIPuntAvui</b>  <a href="http://www.elpuntavui.cat/noticia/article/2-societat/-/726516-aparten-una-ena-de-la-seva-mare-per-lescull-del-catala.html">http://www.elpuntavui.cat/noticia/article/2-societat/-/726516-aparten-una-ena-de-la-seva-mare-per-lescull-del-catala.html</a></p>				

**13** (63). A court sentence by a female judge in Granollers considers that the use of Catalan is a nuisance in legal proceedings, even although she has accredited knowledge of the language as a merit

Date	Administration	Organisation	Place	Territory
10/04/2014	Central State Administration	Court of first instance number 2 of Granollers	Granollers (Vallès Oriental)	Catalonia
Victim: <b>The parties involved in the judge's finding (contentious divorce proceedings)</b>				
Description of the case: <b>The judge, Elisa Martí Vilache, employed in the court of first instance number 2 of Granollers, issued a court sentence in a contentious divorce action rejecting the right of citizens of Catalan-speaking territories to use Catalan in legal proceedings. According to judge Martí, neither the Law of Legal Power nor the Rules of Criminal Procedure establish the "imperative nature of the use of Catalan, unlike the obligation established for Spanish". Furthermore, she added that the use of Catalan would "draw out the proceedings, which is contrary to the principle of efficiency required of any public administration".</b> <b>The magistrate Elisa Martí joined the legal profession in 2010, and before occupying a position in the courts of Granollers had worked as court secretary in Madrid. As an aggravating factor, it should be mentioned that the judge has the recognised merit of knowing Catalan and Valencian (the Central Administration treats them as two totally different languages).</b>				
Source: <b><i>A female judge in Granollers considers that the use of Catalan is a nuisance in legal proceedings.</i></b> EIPuntAvui <a href="http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/731980-una-magistrada-considera-una-nosa-lus-del-catala-en-un-procediment-judicial.html?cca=1">http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/731980-una-magistrada-considera-una-nosa-lus-del-catala-en-un-procediment-judicial.html?cca=1</a>				

**14** (64). Officers from the police station in Xirivella refused to attend to a citizen because she spoke Catalan, they hung up on her and she was made to wait for more than an hour until a translator arrived

Date	Administration	Organisation	Place	Territory
26/04/2014	Central State Administration	National Police Force	Xirivella (West Horta)	Valencian Country
Victim: <b>Consol Barberà, a resident of Alaquàs</b>				
<p>Description of the case: <b>A resident of Alaquàs was refused assistance on several occasions in the police station of Xirivella for speaking Catalan. The first refusals to attend her took place when she tried to make an appointment for an administrative formality on the telephone: the officer that answered the phone demanded that "She speak Catalan" and hung up on her more than once. She finally managed to make an appointment for the following day.</b></p> <p>The following day, when Consol arrived at the police station, the officer at the desk, the same one that had hung up on her, demanded once again that she spoke Spanish. When Consol said, in Catalan, "Good morning, can I make an appointment for the Foreigner's Department at 4.30 pm?", the officer responded: "<i>If you don't speak Spanish I don't understand you</i>". The citizen then asked to be attended by another member of staff with an understanding of Catalan. The officer answered that there was nobody else in the station that could attend to her but that if she wanted she could speak French or English, in which case someone could deal with her.</p> <p>The citizen refused to use another language, making use of her linguistic rights recognised by law, and was taken into waiting room where she had to wait for more than an hour until a translator arrived. Paradoxically, the interpreter only had to translate the greeting and the name of the corresponding department. Once there, the translator was not required because the person in charge understood her.</p> <p>The victim therefore had to spend hours in the police station and was harassed several times in order to perform a simple administrative formality.</p>				
<p>Source:  <b><i>The Police Station of Xirivella refuses to attend to a woman in Valencian and calls in an interpreter.</i></b> Levante  <a href="http://www.levante-emv.com/comarcas/2014/04/26/comisaria-xirivella-niega-atender-mujer/1104512.html">http://www.levante-emv.com/comarcas/2014/04/26/comisaria-xirivella-niega-atender-mujer/1104512.html</a> </p>				

**15** (65). A demonstrator was threatened with a €200 fine for speaking Catalan to National Police Force officers in Dénia.

Date	Administration	Organisation	Place	Territory
30/04/2014	Central State Administration	National Police Force	Dénia (Marina Alta)	Valencian Country

Victim: **Saül Ortola**

Description of the case: **A demonstrator who had participated at a meeting convened by the Plataforma d'Afectats per la Hipoteca (PAH) in Dénia, the capital of Marina Alta, was threatened with a €200 fine for addressing National Police Force officers in Catalan.**

**The police officers approached the demonstration and separated the demonstrators in order to identify them. Seeing that the demonstrators had been retained for a long time, Saül approach the officers and politely asked them "if all this was really necessary", since the two people identified were simply protesting peacefully in front of the door of Servef, causing no type of disorder or disturbance. One of the officers demanded that he spoke in Spanish alleging that "This is *Spain*", although Saül chose to continue in Catalan, adding that he was speaking an official language of the Community of Valencia. The officer responded by asking him for ID, adding: "If you continue to speak in "Alicantine", Valencian or whatever you call it, you will receive a €200 fine at home".**

**Saül subsequently reported the event to the press and added that "It is a very serious state of affairs when in the middle of the 20th Century, in a democratic state, with a Statute of Autonomy that recognises our language, we are fined or intimidated for speaking an official language which they, furthermore, as State authorities, are obliged to defend". The victim has not yet been fined.**

Source:

**Threatened with a €200 fine for speaking to the police in Catalan. Vilaweb**

<http://www.vilaweb.cat/noticia/4188568/20140430/amenacat-multa-200-euros-haver-parlat-catala-policia.html>

**He lodges a complaint against the National Police Force for threatening him with a fine for speaking Valencian during a PAH protest. La Marina Plaza. Diari de la Marina Alta i Baixa**

<http://lamarinaplaza.com/2014/04/30/denuncia-que-la-policia-nacional-le-amenazo-con-multarle-por-hablar-en-valenciano-durante-una-protesta-de-la-pah/#.U2FH6JyvILU.twitter>

## 16 (66). The Board of Traffic of Osca ignores a petition in Catalan from a young person who was fined after speaking Catalan in a Civil Guard control in Ribagorça

Date	Administration	Organisation	Place	Territory
5/5/2014	Central State Administration	General Board of Traffic and the Civil Guard	Pont de Montanyana (Ribagorça)	Eastern Aragon (Catalan-speaking counties)
<p>Victim: <b>Marçal Girbau, hilologist and expert in Occitan language</b></p> <p>Description of the case: <b>A young man was stopped by an unidentified police vehicle that was driving behind him on the N-230 road in the vicinity of Pont de Montanyana (Ribagorça). According to the victim, after he addressed them in Catalan, both officers treated him aggressively, rudely and humiliated him for ideological and linguistic reasons. He then switched to Spanish, but as he was nervous he mixed words in Spanish and Occitan, his usual language, since he lives in Toulouse de Languedoc. The officers then reproached him for not speaking Spanish, and subsequently, on seeing that the vehicle papers were in Catalan, they retorted: "Learn to write properly". Moreover, they brought up the question of the CAT letters on the vehicle registration plate before fining him for driving without having proper visibility and for having a lot of snow on the roof (which they failed to substantiate), and which Marçal claims was not the case and that they were simply getting their own back on him for speaking Catalan.</b></p> <p>The young man from Tolosa received a traffic notification on December 1, 2013, and submitted his pleas in Catalan to the General Board of Traffic of Osca on the 18th of the same month. The administration demanded a translation of his pleas into Spanish on March 12, to which he responded by appealing to his right not to be discriminated on account of language. Finally, the General Board of Traffic of Osca decided to enforce the fine on May 5 without taking his arguments into account.</p> <p>Source:  <b><i>The State discriminates against a young man for speaking Catalan and Occitan</i></b> Ebre exprés  <a href="http://ebreexpres.com/lestat-discrimina-un-jove-per-parlar-catala-occita/">http://ebreexpres.com/lestat-discrimina-un-jove-per-parlar-catala-occita/</a></p> <p><b><i>A young man denounces discrimination against the LAPAO in Aragon</i></b>  Diari ARA  <a href="http://www.ara.cat/societat/denuncia-lArago-tambe-discrimina-LAPAO_0_1142885892.html">http://www.ara.cat/societat/denuncia-lArago-tambe-discrimina-LAPAO_0_1142885892.html</a></p>				

**17 (67). A teacher from Elx hired by the prison of Fontcalent was harassed and threatened by an official from the centre for addressing him in Catalan**

Date	Administration	Organisation	Place	Territory
21/05/2014	Central State Administration	Fontcalent Penitentiary	Alacant (Alacantí)	Valencian Country

Victim: **M. Carme Viudes, a teacher from Elx**

Description of the case: **The teacher from Elx M. Carme Viudes was hired by the prison of Fontcalent (Alacant). On May 21, the teacher went to the office of one of the prison officers, whose initials are J.R., in order to obtain a permit to move freely about the prison. On entering and saying "Hello", the teacher was called "ill-mannered" by the official, because two days before that she had entered his office speaking Catalan with a colleague, and this behaviour was not correct because she had not asked for his permission to use Catalan, and in the prison they spoke "Spanish, not Valencian".**

**M. Carme told the officer that she did not have to ask for permission to speak Valencian, and reminded him that Valencian is one of the two official languages of the Community of Valencia. Nevertheless, the official continued to evince an aggressive and xenophobic attitude, and retorted that he worked for the Spanish State and would not consent to be spoken to in Catalan: "No way am I going to be spoken to in Valencian". he subsequently added that "I'm not being that much of a son of a bitch. One of your colleagues, called Ximo (typical Valencian name), wouldn't speak Spanish to me so I had a colleague translate for him, even though I understood him fine, but I just wasn't standing for it". Finally, he threatened the teacher again, who had continued to speak Catalan, and told her that if she insisted on speaking Catalan she would have problems in Fontcalent.**

**The victim reported the case to the El Tempir Association, which provided her with assessment in matters of civil and linguistic rights and also brought the case to the attention of the public opinion, stating that the prison official's behaviour was illegal and totally unacceptable in a democratic country.**

Source: ***El Tempir reports a new case of linguistic harassment in the prison of Fontcalent and gives its support to Maria Carme Viudes.*** El Tempir

<http://www.eltempir.cat/ca/2014/06/01/el-tempir-denuncia-nou-cas-de-vexacio-linguistica-a-la-presno-de-fontcalent-i-se-solidaritza-amb-m-carme-viudes/>

***A new case of linguistic xenophobia is reported in the prison of Fontcalent.*** La Veu del País Valencià <http://www.laveupv.com/noticia/9509/denuncien-un-nou-cas-de-xenofobia-linguistica-a-la-presno-de-fontcalent>

## 18 (68). A resident of Caldes de Malavella, threatened, insulted and held for speaking Catalan to two police officers in the station of Figueres

Date	Administration	Organisation	Place	Territory
04/06/2014	Central State Administration	National Police Force	Figueres (Alt Empordà)	Catalonia

Victim: **I.C.B. a resident of Caldes de Malavella**

Description of the case: **A 26-year-old man from Caldes de Malavella reported two National Police Force officers for insulting and verbally threatening him on June 4 in the station of Figueres. The victim believes that the reason for the harassment by the police officers was that he was wearing a pro-Independence jersey and that he addressed them in Catalan at all times.**

The incident took place on the platform of the train station in Figueres, where the young man intended to take a train to Girona. Moments before the train arrived, two National Police Force officers approached him and asked him to provide proof of identity. The man answered in Catalan that he was not carrying his National Identity Card but that he did know the number.

The two officers then ordered him not to speak Catalan, and in view of his refusal they had him accompany them to the police car parked outside the station. Inside the vehicle, one of the officers, very aggressive, interrogated him about his ideology, while ordering him continually to speak "Spanish"; moreover, the young man reported that they shook him and mistreated him verbally, insulting Catalan, Catalan people, and more particularly pro-Catalan Independence supporters.

Finally, the officers checked that the ID card data were correct and allowed him to get out of the police car. However, before that, the police officers warned him "*We've got all you pro-independence militants on file. If you come out into the street we will know who you are*". The young man, totally disconcerted, informed the media that he was thinking about making a complaint due to the harassment.

Source:

***A resident of Caldes de Malavella accuses two police officers of threatening and insulting him for speaking Catalan.*** EIPuntAvui

<http://www.elpuntavui.cat/noticia/article/3-politica/17-politica/749322-un-vei-de-caldes-acusa-dos-policies-damenaces-i-insults-per-haver-parlat-en-catala.html?dema=1&tmpl=component&print=1&page>

***Two National Police Force officers reported for holding a young man for speaking Catalan.*** Nació Digital

<http://www.naciodigital.cat/noticia/69773/denuncien/dos/policies/cnp/van/retenir/jove/parlar/catala>

## 19 (69). A court from Barcelona has an appeal in Catalan translated, claiming that one of the lawyers is from Madrid

Date	Administration	Organisation	Place	Territory
11/10/2014	Central State Administration	Court of First Instance Number 6 of Barcelona	Barcelona	Catalonia

Victim: **Carles Franco, a Lawyer of the Bar of Barcelona**

**Descripció:** Last November, the Court of First Instance Number Six of Barcelona issued a finding ordering the lawyer Carles Franco to have documents in Catalan that were part of an appeal against the sentence of a trial that his customer had lost against a financial institution translated into Spanish. The reason alleged by the court was that the financial institution's lawyer was from Madrid and that the documentation in Catalan could affect his defence.

Article 231 of the Organic Law of the Judiciary Power clearly establishes parties' right to express themselves in the language they deem fitting, without being required to produce a translation, and that it falls to the Administration of Justice to have any relevant translations made.

This infringement by the courts led the Barcelona law practice to present an appeal against the finding, for which purpose it had to make a twenty-five Euro deposit. Not only did the law practice claim that it was not supposed to be responsible for the translation, but also that Catalan had been used at all times throughout the first instance proceedings without any complaint being received from the other party. Finally, the court secretary upheld this argument and processed the appeal.

Source: **Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in November 2014.**

## 20 (70). An application for Spanish nationality by a Chinese citizen who speaks Catalan and barely any Spanish is rejected

Date	Administration	Organisation	Place	Territory
29/12/2014	Central State Administration	National Court of Spain	City of Valencia	Valencian Country
Victim: <b>A Chinese citizen</b>				
<p>Descripció: <b>The Chinese subject submitted an application for Spanish nationality in 2009, and even though he was married to a Spanish woman and had been living in Spain for 11 years, the application was rejected in 2013. The main reason adduced by the Ministry of Justice for rejecting the application was that after the Magistrate of the Civil Registry had interviewed the citizen, he considered that his Spanish was not fluent enough, claiming that "He can hold a conversation, albeit with difficulty, and he finds it quite difficult to understand and respond". The citizen admitted to the National Court of Spain that he spoke Spanish falteringly, although he could maintain a conversation in the language, and that he spoke and understood Valencian perfectly well, a skill he needed for his job, besides reminding the Court that he meets the requirement of legal residence by having married a Spanish woman in 2001.</b></p> <p><b>The National Court of Spain insisted that it is essential that immigrants that wish to acquire Spanish nationality speak Spanish, since nationality awards "a status and rights superior to those of legal residence in Spain", "for which reason the laws demand a greater degree of adaptation from applicants".</b></p> <p><b>Therefore, while the Constitution defends that Catalan is also an official language "in the respective autonomous communities", this does not suffice for the National Audience, which requires mastery of Spanish, obviating any knowledge of the other equally official languages.</b></p>				
<p>Source:</p> <p><b><i>The courts deny Spanish citizenship to a Chinese citizen who speaks Catalan but not Spanish. VilaWeb</i></b>  <a href="http://www.vilaweb.cat/noticia/4225606/20141229/tribunals-deneguen-ciutadania-espanyola-xines-parla-catala-parlar-espanyol.html">http://www.vilaweb.cat/noticia/4225606/20141229/tribunals-deneguen-ciutadania-espanyola-xines-parla-catala-parlar-espanyol.html</a></p> <p><b><i>The judges deny nationality to a Chinese man that does not speak Spanish Levante. El mercantil valenciano</i></b>  <a href="http://www.levante-emv.com/comunitat-valenciana/2014/12/29/jueces-deniegan-nacionalidad-chino-incapaz/1206521.html">http://www.levante-emv.com/comunitat-valenciana/2014/12/29/jueces-deniegan-nacionalidad-chino-incapaz/1206521.html</a></p>				

## 21 (71). Linguistic discrimination in the Green Dot of Emaya, in Palma

Date	Administration	Organisation	Place	Territory
02/02/2015	City Council of Palma	Emaya	Palma (Majorca)	Balearic Islands
Victim: <b>Toni Mira, a resident of Palma</b>				
<p>Description of the case: <b>A citizen from Palma went to the Green Dot (waste collection point) in Palma to dispose of a mirror. When Toni Mira informed the worker that attends the general public at Tablisa, the company subcontracted by Emaya (a public company from Palma) that he had brought "a mirror", saying so in Catalan, the worker rudely scolded him, saying that she did not understand him and that however often he repeated it she would not understand him. She also told him that if he ever set up a company he could use any names he wanted, whereupon things began to get very unpleasant, according to Mina.</b></p> <p>After the news appeared in the press, the public company Emaya gave its own version of the events, according to which the linguistic determination suffered was "an impression" and that the worker has no problem in attending to users that speak Catalan, but that she did not understand the word "mirall" [mirror].</p> <p>The victim of the discrimination complained about Emaya's behaviour, since, besides making him feel uncomfortable the day the discrimination took place, his credibility was now being questioned, whereas the malpractice of the worker in the customer service department would remain unpunished.</p>				
<p>Source:  <b><i>Linguistic discrimination at the Punt Verd d'Emaya, in Palma</i></b> Diari de Balears, February 2, 2015  <a href="http://dbalears.cat/politica/2015/02/02/284731/discriminacio-linguistica-punt-verd-emaya-palma.html">http://dbalears.cat/politica/2015/02/02/284731/discriminacio-linguistica-punt-verd-emaya-palma.html</a>  <b><i>Emaya says that the linguistic discrimination in the Punt Verd was an "impression".</i></b> Diari de Balears, February 5, 2015  <a href="http://dbalears.cat/politica/2015/02/05/284761/emaya-diu-discriminacio-linguistica-punt-verd-ser-impressio.html">http://dbalears.cat/politica/2015/02/05/284761/emaya-diu-discriminacio-linguistica-punt-verd-ser-impressio.html</a></p>				

## 22 (72). A resident of Castelló de la Plana, held and harassed by National Police Force officers for speaking Valencian

Date	Administration	Organisation	Place	Territory
25/02/2015	Central State Administration	National Police Force	Castelló de la Plana (Plana Alta)	Valencian Country
Victim: <b>J.A.S.</b> , a resident of Castelló de la Plana				
<p>Description of the case: <b>A resident of Castelló de la Plana was stopped by a patrol of National Police Force officers in the capital of la Plana after committing a minor traffic offence. At the time of the identification, J.A.S. addressed the officers in Catalan, who denied him the possibility of using the language of the Valencian Country, while they also rudely and aggressively demanded that he spoke Spanish.</b></p> <p>Despite the Police Officers' hostile attitude, the citizen did not back down and continued to defend his right to express himself in Catalan, as provided for by the Law. The officers decided to hold the citizen and call another patrol that understood Valencian. However, the whole process was conducted in extreme hostility by the officers, who harassed the victim, showing the utmost disregard for citizens' civil and linguistic rights.</p> <p>The resident of Castelló de la Plana later told the press that the officers treated him with the utmost disrespect and humiliated him for having tried to exercise the linguistic rights acknowledged by the legislation in force. In view of the irregularities committed by the officers and the denigrating harassment, the victim decided to file a complaint against the National Police Force officers.</p>				
<p>Source: <b><i>A resident is retained in Castelló for speaking Valencian.</i></b> La Veu del País Valencià, February 25, 2015  <a href="http://www.laveupv.com/noticia/13296/un-vei-es-retingut-a-castello-per-parlar-valencia">http://www.laveupv.com/noticia/13296/un-vei-es-retingut-a-castello-per-parlar-valencia</a></p>				

## 23 (73). Una jutgessa amenaça a Figueres una testimoni de suspendre el judici si parla en català

Date	Administration	Organisation	Place	Territory
02/03/2015	Central State Administration	Mixed Court 2 of Figueres	Figueres (Alt Empordà)	Catalonia
Victim: <b>Mireia Fernández</b>				
<p>Description of the case: <b>Mireia Fernández</b> asked to make her court statement in Catalan since she felt more comfortable in this language and expressed herself better. The female judge rudely told her in Spanish that she could not "because I don't understand you and it is I who must understand you, so if you speak Catalan I will suspend the proceedings".</p> <p>In view of this circumstance, Mireia chose to speak Spanish, since she did not wish to have to put up with the inconvenience of wasting another day on another date (she lives 150 km away from the town where the hearing was being held). Nevertheless, she decided to file a complaint through the Secretary-General for Relationships with the Administration of Justice. She was advised to wait until the sentence was passed to submit the claim to avoid any influence on the finding.</p> <p>On April 9, the TSJC gave the judge 5 days to justify her failure to comply with the provisions of article 231.5 of the Organic Law of the Judiciary Power, which establishes that any person present that knows the official language can be sworn in to act as an interpreter. On June 30, 2015, she had yet to receive an explanation.</p>				
Source: <b>Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in March 2015.</b>				

## 24 (74). Una advocada és vexada en un CIE per la policia espanyola per parlar en català

Date	Administration	Organisation	Place	Territory
02/03/2015	Central State Administration	National Police Force	Barcelona (el Barcelonès)	Catalonia
<p><b>Victim: M. P. C., a lawyer and member of the Bar of Barcelona on duty for matters related to foreigners</b></p>				
<p><b>Description of the case: M.P.C., a lawyer and member of the Bar of Barcelona on duty and was attending a foreigner interned in the CIE (Foreigner Internment Centre) in the Zona Franca.</b></p> <p><b>She had very little time, because she was on court duty that very same day and went to the CIE to take her client's statement with the court's authorisation. Since this statement required the presence of an official, she waited there until she got a call from the courts telling her that she had to come to court immediately. She informed the CIE staff that she had to leave just as they told her that they were ready to attend to her, so she had to postpone the visit until the following day.</b></p> <p><b>Although the conversation had taken place in the utmost cordiality, with the lawyer speaking Catalan and the centre's personnel speaking Spanish, just as she was leaving, an officer from the Spanish National Police Force approached her from behind, shouting: "We speak Spanish here. Here you have to speak Spanish, not Catalan. These are Spanish premises and we speak Spanish and that is that". Although the lawyer asked him to calm down, the officer continued to harass her. Eventually she asked him for his identification number.</b></p> <p><b>The following day she went to the CIE to help her client, and the head of security of the CIE apologised for the incident, acknowledging that some officers were not aware of the seriousness of such actions. Nevertheless, the victim requested the complaint sheet in order to submit a complaint about the incident.</b></p>				
<p><b>Source: Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in March 2015.</b></p>				

## 25 (75). The Catalan Football Federation cancels the licence of six children for failing to have their census registration certificate in Spanish

Date	Administration	Organisation	Place	Territory
04/03/2015	Catalan Autonomous Organisation (public sports federation)	Catalan Football Federation	La Cellera de Ter (la Selva)	Catalonia
Victim: <b>Six children who were members of the Federation, two of them the sons of Jordi Feliu, reported the case</b>				
Description of the case: <b>The Catalan Football Federation cancels six children's sports licences. The reason is that they had failed to produce the certificate of being registered on the census in Spanish.</b>				
According to Jordi Feliu, the father of the two boys, the club had provided the documents, albeit in Catalan. The children were therefore officially unable to play on the weekend of March 8.				
The Catalan Football Federation is a public-use private organisation and its Statutes must fulfil the autonomous legislation pursuant to the provisions of the Legislative Decree 1/2000, of July 31.				
These statutes establish that "Catalan language, as the language of Catalonia, is also the language of the Catalan football Federation".				
Source: <b>Catalan Football Federation: shame on you!</b> Letter to the <i>El Punt Avui</i> newspaper on March 11, 2015. The edition published in the Girona counties.				
Culled from the website of the "Ara o mai" [Now or never] association: <a href="http://araomai.cat/denuncien-que-la-f-c-futbol-ha-anul%C2%B7lat-unes-licencies-perque-un-document-estava-escrit-en-catala/">http://araomai.cat/denuncien-que-la-f-c-futbol-ha-anul%C2%B7lat-unes-licencies-perque-un-document-estava-escrit-en-catala/</a>				

## 26 (76). Expelled from the Spanish consulate in Brussels for a text in Catalan

Date	Administration	Organisation	Place	Territory
10/03/2015	Central State Administration	Spanish Consulate in Brussels	Brussels (Flanders)/ Sabadell (Vallès Occidental)	Catalonia
Victim: <b>A resident of Sabadell, a client of the lawyer Teresa Puig</b>				
<p>Description of the case: <b>A resident of Sabadell, residing in Brussels, had to furnish a written declaration for a court procedure that was to be held in Sabadell. He had been authorised to present it in writing through an expression of will to the Spanish Consulate so as not to have to travel.</b></p> <p>On reaching the Consulate, the resident delivered the documentation to the diplomat Hilario Sáenz Mir, although the latter refused to accept it, alleging that the documentation, written in Catalan, had to be produced in Spanish, otherwise they could neither accept nor process it. The resident of Sabadell protested and asked to see Sáenz's superior. At this point, Sáenz called the security guard and had him ejected. The diplomat told the citizen to go to the office of the Government of Catalonia in Brussels to have the text translated into Spanish.</p> <p>The lawyer eventually had to translate the document due to the compelling need to send it and so that the witness would not have to appear personally. The discriminated resident filed a complaint with the Spanish consulate in Brussels.</p> <p>On June 9, the Spanish government issued a release validating the consul's action, arguing that the text had to be revised by the diplomatic Corps and therefore the documentation had to be submitted in Spanish (the consulate's working language).</p>				
<p>Source: <b><i>Expelled from the Spanish consulate in Brussels for a text in Catalan</i></b> Vilaweb, March 10, 2015  <a href="http://www.vilaweb.cat/noticia/4235277/20150310/expulsat-consolat-espanyol-brusselles-escrit-catala.html">http://www.vilaweb.cat/noticia/4235277/20150310/expulsat-consolat-espanyol-brusselles-escrit-catala.html</a>  <b><i>The Spanish government justifies the expulsion of a citizen from the consulate in Brussels for a text written in Catalan</i></b> Vilaweb, June 9, 2015  <a href="http://www.vilaweb.cat/noticia/4363594/20150609/govern-espanyol-justifica-lexpulsio-consolat-brusselles-ciutada-escrit-catala.html">http://www.vilaweb.cat/noticia/4363594/20150609/govern-espanyol-justifica-lexpulsio-consolat-brusselles-ciutada-escrit-catala.html</a></p>				

## 27 (77). National Police Force officers refuse to process two ID cards in Mollerussa because the supporting official documentation had be in Spanish

Date	Administration	Organisation	Place	Territory
10/03/2015	Central State Administration	Spanish police force (ID card issue office)	Mollerussa (Pla d'Urgell)	Catalonia
Victim: <b>A resident of Miralcamp (Pla d'Urgell)</b>				
<p>Description of the case: <b>On March 10, a resident of Miralcamp in Mollerussa went to get his two sons' identity cards. On submitting the necessary documentation to the mobile unit that was operating in the capital of Pla d'Urgell, the National Police Force officers refused to process the application, alleging that the birth certificate and the census registration certificate were not valid because they were in Catalan.</b></p> <p>The officers told him that he would have to go to his own Town Council and request a Spanish or bilingual version, for which purpose he had to return to Miralcamp to request a certificate in Spanish.</p> <p>The journalist Esmeralda Farnell (who signed the news published in the Segre newspaper) consulted the Pro-Language Platform on the legislation, which does not permit such action by the Central Administration, as well as to ascertain the possible existence of more cases.</p> <p>The following day, the Spanish police reported that they had not vetoed the documentation, but rather had recommended that the certificates be submitted in Spanish in order to expedite the formalities.</p>				
<p>Source: <b>National Police Force officers refused to process two ID card applications in Miralcamp because the application was in Catalan Segre, March 12, 2015</b> <a href="http://www.segre.com/detall-de-la-noticia/article/policies-nacionals-rebutgen-tramitar-dos-dni-de-miralcamp-a-lestar-en-catala-la-sollicitud/">http://www.segre.com/detall-de-la-noticia/article/policies-nacionals-rebutgen-tramitar-dos-dni-de-miralcamp-a-lestar-en-catala-la-sollicitud/</a></p> <p>The day before the news was published, the journalist contacted the Pro-Language Platform to address some legislative aspects and the possible existence of other cases.</p>				

## 28 (78). An unemployed woman from Reus is harassed on a course subsidised by the SOC for asking for the course to be given in Catalan

Date	Administration	Organisation	Place	Territory
27/04/2015	Autonomous administration	Servei d'Ocupació de Catalunya [Employment Service of Catalonia]	Tarragona (el Tarragonès)	Principat

Victim: **Núria Sugranyes**, an unemployed woman from Reus

Description of the case: **Last February, Núria Sugranyes started a course organised by the CEPTA (Business Confederation of Tarragona). She comes from Reus, and although the headquarters of the Confederation are located in Baix Camp, this course on foreign trade was to be held in Tarragona.**

**The course began in Catalan, the only incident being that a pupil from Peru, who had been living in Catalonia for nine years, asked if she could be given the class notes in Spanish in order to study them. However, one day, all of a sudden the teacher began to give the class in Spanish.**

**Núria did not agree with this change, and went to say that she did not want to continue the course in Spanish. Due to the shortage of students, and since the course is subsidised by the SOC and, as the woman told us, 50% of the class hours must be taught in Catalan, the coordinator told her to submit a request for the course to be done in Catalan.**

**The coordinator spoke to the teacher, who subsequently informed the class that he was going to do the class in Catalan because somebody had complained. Since Núria had already said that she wanted the class to be in Catalan, some people in the class quickly identified her and began to harass her, with comments such as "Who the hell does she think she is, I'll be damned if I put up with this", "I speak perfect Catalan but no way am I going to stand for this", "She probably has a Catalan flag at home", "I come from Valencia but didn't ask for the course to be given in Valencian".**

**In view of the situation, the teacher opted to give part of that class in Catalan, but no more on that same or on any other day, and moreover took a totally different attitude after the change in teaching language, leading Núria be singled out just because she had tried to have her linguistic rights observed: Moreover, the teacher did nothing to pay down the situation, but continued to make things worse, ignoring the pupil and not letting her participate in the class exercises like the rest of the learners.**

**Núria eventually left the course, which meant that she could be penalised for one year without being able to receive any training from the SOC.**

Source: **Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in April 2015.**

## 29 (79). A teacher from a secondary school in Terrassa makes fun of a student for speaking Catalan

Date	Administration	Organisation	Place	Territory
13/05/2015	Autonomous administration	Department of Education	Terrassa (el Vallès Occidental)	Catalonia

Victim: **alumne del CFGM de Gestió Administrativa de l'IES Terrassa**

Description of the case: **The Pro-Language Platform received a report that a teacher had tried to humiliate a student just because she regularly spoke Catalan. The teacher asked her, in front of the whole class (mainly Spanish speakers), if she was "Pro-Catalan" and told her that he would be expecting much better results from the writing exercises in Spanish and in English than in Catalan in the typing subject, since he assumed that she spoke perfect Catalan because it was the only language she ever spoke. Fortunately, on seeing the turn of events, the class sided with the student. Even so, such attitudes make students worry about their grades, because they are totally defenceless with regard to the person marking their examinations.**

**Moreover, it has also been denounced that most of the classes are given in Spanish in this school (estimates place the figure above 70%, which seems to be true in view of the offer of textbooks posted on the web). Moreover, some members of the teaching staff at the school could be promoting attitudes of disrespect towards the importance of Catalan for its speakers and for a whole nation in an attitude that seeks to indoctrinate pupils, ranging from disrespect for the language and the parties that support the language during the different classes that are given at the centre.**

Source: **Direct contact from a person close to the victim by email. A teacher from a secondary school in Terrassa makes fun of a student for speaking Catalan.** <https://www.plataforma-llengua.cat/que-fem/noticies/2856/un-professor-de-lies-terrassa-fa-mofa-a-un-alumne-per-parlar-catala>

**30 (80).** An application for nationality by a foreign citizen was rejected because part of the documentation had been submitted in Catalan

Date	Administration	Organisation	Place	Territory
11/06/2015	Administration central	Civil Registry Office of Vic	Vic (Osona)	Catalonia
Victim: <b>A foreign citizen applying for Spanish nationality</b>				
Description of the case: <b>On the morning of June 11, 2015, the Civil Registry Office of Vic refused to process an application for Spanish nationality from a foreign citizen, informing him that they would only process the request if he presented all the necessary documentation in Spanish.</b>				
<p>The documentation included a certificate of receiving a Minimum Income Allowance, issued by the Department of Social Welfare and the Family of the Government of Catalonia, written in Catalan. The Civil Registry Office refused to process the application, arguing that it had to be sent to Madrid, thus denying the right to use Catalan provided for by Law 20/2011 of July 21, of the Civil Registry, and calling for a translation, which is only necessary in the event of documentation submitted in foreign languages.</p> <p>Finally, and as he urgently needed to submit the application, the citizen had to return to the Department of Social and Family Welfare and ask to have the document issued in Catalan so that the Registry would accept it.</p>				
Source: <b>Reported by the Department of Social and Family Welfare of the Government of Catalonia to the Pro-Language Platform.</b>				

## 31 (81). The Higher Court of Justice of Aragon withdraws custody of a minor on account of Catalan

Date	Administration	Organisation	Place	Territory
18/06/2015	Administration central	Higher Court of Justice of Aragon	Barcelona (Barcelonès)	Catalonia
Victim: <b>Rosa Linares, the child's mother</b>				
<p>Description of the case: <b>The Higher Court of Justice of Aragon repealed a sentence that gave custody to a mother living in Barcelona for several reasons, including the fact that Catalan is the language of Catalonia. "It is not in the child's best interests to remove him from his environment, particularly when in doing so not only is the relationship with the father and the father's family being restricted, but also because his schooling and habits are changed, and are even conducted in a different language", since the father lives in Teruel.</b></p> <p>The sentence repealed a previous sentence by the Provincial Court of Teruel that awarded custody to the mother, arguing that she was more capable, since the tests performed with the father demonstrated that he had limitations in providing responsible care to the child without assistance.</p> <p>The sentence, which includes the language factor as a difficulty in the change of environment, prioritises contact between the child and the paternal family, disregarding the fact that the whole maternal family lives in Barcelona and that the child had been already living there for 8 months.</p>				
<p>Source: Information transmitted to the Pro-Language Platform. <b>Catalan leads the Higher Court of Justice of Aragon to withdraw the custody of a minor.</b> Pro-Language Platform <a href="https://www.plataforma-llengua.cat/que-fem/noticies/2881/el-catala-motiva-al-tribunal-superior-de-justicia-de-larago-a-retirar-la-custodia-dun-menor">https://www.plataforma-llengua.cat/que-fem/noticies/2881/el-catala-motiva-al-tribunal-superior-de-justicia-de-larago-a-retirar-la-custodia-dun-menor</a></p>				

## 32 (82). A woman doctor threatens to report a patient in Sant Joan Despí for speaking to her in Catalan

Date	Administration	Organisation	Place	Territory
21/06/2015	Autonomous administration	Hospital Moisès Broggi (Consorci Sanitari Integral)	Sant Joan Despí (Baix Llobregat)	Catalonia
Victim: <b>Margalida, a citizen of Sant Joan Despí</b>				
<p>Description of the case: <b>Margalida went to the Emergency Room doctor last June 21 early in the morning. She addressed the doctor in Catalan, who told her to speak Spanish. When the patient told her that she wanted to speak Catalan, the doctor retorted "If you speak both languages then speak Spanish", telling her that if she wanted to be attended to in Catalan she would have to see another doctor.</b></p> <p>Although the administration offered an alternative of changing the doctor in order to be able to speak her language, she felt that she had been treated with a lack of understanding and intimidation. "I can report you for your attitude", threatened the doctor, "It wouldn't be the first time I have reported a patient".</p> <p>Facing the prospect of having to wait longer until the doctor was changed, she decided to acquiesce and speak Spanish. Nevertheless, she decided to file a complaint to exercise her right to speak the language of Catalonia in a public setting.</p>				
Source: <b>Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in June 2015.</b>				

### 33 (83). A doctor from the Primary Healthcare Centre of Torelló humiliates and refuses to treat a patient who spoke to him in Catalan.

Date:	Administration:	Organisation:	Place:	Territory:
28/07/2015	Autonomous administration	Primary Healthcare Centre of Torelló	Torelló (Osona)	Catalonia
Victim: <b>Sandra Vaqué, a resident of Torelló</b>				
<p>Description of the case: <b>Sandra Vaqué, a resident of Torelló, referred a complaint to the Pro-Language Platform regarding the linguistic aggression she was subjected to in the primary healthcare centre of this town. The stand-in paediatrician called upon her to speak in Spanish as soon as he greeted her. According to the facts, the doctor in question said, harshly: "We speak Spanish here. Because this is Spain, isn't it?", when the woman said "good morning" to him in Catalan. On witnessing the reaction of disbelief of the mother of the patient, the latter a minor, the doctor retorted, in Spanish again: "I said that this is Spain, or are we in England?". Sandra Vaqué told him, in Spanish, that her daughter had a better command of Catalan and would he mind her using her native language. However, the retort was just as blunt. "Fine, I'll give you a choice. Speak Spanish or English, which one do you prefer?"</b></p> <p>On detecting the complaint in the social media, the Pro-Language Platform contacted the mother of the patient immediately to provide her with aid in filing the complaint to the Primary Healthcare Centre to defend Sandra Vaqué's rights and dignity, in view of the obligation incumbent upon the administration and upon any worker hired by it to safeguard linguistic rights and to guarantee healthcare in Catalan and Spanish. Similarly, as provided for by article 32 of the Statute, there can be no discrimination for the use of either of the two languages, Spanish or Catalan.</p> <p>The case had a major impact on the inhabitants of the town of Torelló, where several social partners, political parties and even the mayor, Santi Vivet, echoed their rejection of what had happened to Sandra and called upon the Department of Health of the Government of Catalonia to take measures, which it did, by undertaking an inquiry.</p>				
<p>Source: <i>The Pro-Language Platform considers that not being attended to in Catalan in a Primary Healthcare Centre is unacceptable</i> <a href="https://www.plataforma-llengua.cat/que-fem/noticies/2920/la-plataforma-per-la-llengua-considera-inadmissible-no-poder-ser-ates-en-catala-en-un-cap">https://www.plataforma-llengua.cat/que-fem/noticies/2920/la-plataforma-per-la-llengua-considera-inadmissible-no-poder-ser-ates-en-catala-en-un-cap</a> The person in question had reported the discrimination through her Facebook page.</p> <p><i>The Department of Health opens an inquiry into the paediatrician of Torelló who demanded that a patient address him in Spanish.</i> Nació Digital. <a href="http://www.naciodigital.cat/noticia/91803/salut/obre/expedient/informatiu/al/pediatre/torello/va/exigir/parlar/castella">http://www.naciodigital.cat/noticia/91803/salut/obre/expedient/informatiu/al/pediatre/torello/va/exigir/parlar/castella</a></p>				

**34 (84).** The National Police Force arrests an Argentinean citizen who was speaking Catalan and for disobeying an order to speak Spanish, causing him to miss his flight

Date:	Administration:	Organisation:	Place:	Territory:
05/08/2015	Central State Administration	National Police Force	Airport of Barcelona - el Prat (Baix Llobregat)	Catalonia
Victim: <b>R. Berge, an Argentinian citizen, and indirectly his partner</b>				
<p>Description of the case: <b>R. Berge, an oil consultant, was about to board a flight from Barcelona to Vienna. As he holds both Argentinian and Spanish nationality, he went to the National Police Force station in El Prat airport to enquire about renewing his National Identity Card.</b></p> <p>On addressing agent 127.335, the latter ordered him to speak Spanish, claiming that he did not understand him. Berge tried to make himself understood by speaking slowly and with signs, whereupon the agent invited him to leave if he was going to refuse to speak Spanish.</p> <p>After going to the Autonomous Police Force station to unsuccessfully secure an interpreter, he returned to the National Police Force office, where he was told to leave if he did not want to be reported. Berge told them to do what they had to, and then they promptly arrested him, accusing him of disobedience and resisting authority, causing to miss his flight.</p> <p>The National Police Force declared that it was a problem of "bad manners", claiming that Berge had insulted the officers and been rude to them. On the other hand, Berge says that it was the agents who belittled him.</p>				
<p>Source: <b>Chufas, language and a Spanish policeman. El punt avui.</b>  <a href="http://www.elpuntavui.cat/societat/article/5-societat/883544-xufles-llengua-i-un-policia-espanyol.html">http://www.elpuntavui.cat/societat/article/5-societat/883544-xufles-llengua-i-un-policia-espanyol.html</a></p>				

### 35 (85). A paediatrician humiliates a patient twice for talking to him in Catalan in two towns near Castelló

Date:	Administration:	Organisation:	Place:	Territory:
06/08/2015	Autonomous administration	Primary Healthcare Centre of l'Alcora and Primary Healthcare Centre of Sant Joan de Moró	Sant Joan de Moró (la Plana Alta)	Valencian Country
Victim: <b>Daniel Andrés Roig</b> , a resident of <b>Sant Joan de Moró</b>				
<p>Description of the case: In April 2015, Daniel Andrés Roig took his son to the emergency room of the Primary Healthcare Centre of l'Alcora (l'Alcalatén) after the child had cut his finger. They were attended to by a doctor, to whom they explained the case in detail. The doctor insistently and discourteously interrupted them, asking them, in Spanish, "What happened to the child?", ignoring the explanations given by the father in order to oblige the latter to speak to him in Spanish. Finally, he asked someone to translate for him. A hospital porter, surprised at the doctor's attitude, had to act as an impromptu translator. The doctor maintained an attitude of disdain, and another two people came into the room, leaving their work, to help with the translation.</p> <p>In August, Daniel Andrés' son had another appointment with the paediatrician, although in this case the appointment was in the town where they live, Sant Joan de Moró. That day, the usual paediatrician was not there, and once again they encountered the doctor that had attended to them four months previously in l'Alcora. When they started to explain what was wrong in Valencian, he interrupted them rudely once again, saying "I already told you not to speak to me in Valencian, I am not going to attend to you". The expression triggered several minutes of discussion regarding the linguistic rights of Valencian speakers, countered by arguments holding that speaking Catalan is bad manners or that this is Spain and Spanish should be spoken.</p> <p>Finally, Daniel Andrés told him that he was going to file a complaint for infringement of his linguistic rights, and the doctor retorted "Do whatever you have to do, nobody can oblige me to understand your language", evincing the attitude of superiority typical of the person who believes that they are protected by impunity.</p>				
<p>Source: <i>Where do the linguistic rights of Valencian speakers stand now?</i> (Publication on the Facebook wall of Daniel Andrés Roig, available at: <a href="https://www.facebook.com/daniel.andresroig/posts/413979755455557">https://www.facebook.com/daniel.andresroig/posts/413979755455557</a>)</p>				

### 36 (86). A National Police Force officer assaults a young man for speaking Catalan at la Jonquera.

Date:	Administration:	Organisation:	Place:	Territory:
12/09/2015	Central State Administration	National Police Force	La Jonquera (Alt Empordà)	Catalonia
Victim: <b>Esteve Carbonés, mountain guide</b>				
<p>Description of the case: <b>Esteve Carbonés, a mountain guide, was on his way to work and was stopped by some National Police Force officers before crossing the border at the Jonquera. The young man began to speak in Catalan, whereupon the police officer retorted "We speak Spanish here, so speak Spanish". The young man answered that Catalan is also spoken in Catalonia. At this point, the situation began to take a turn for the worse. The police officer rudely told him to get out of the car and stand with his back against the vehicle. He kicked him on the ankle to separate his legs and body-searched him roughly. The young man asked the other police officers if that was how a person should be treated. The other officers ignored him, by saying (in Spanish): "I have neither seen nor heard anything". In view of this physical and verbal aggression, Esteve decided to speak Spanish, since he thought that they might arrest him or do something to him.</b></p> <p>Moreover, Esteve Carbonés was reported by the National Police Force for "disobeying authority", although he was unable to get the officers' names or badge numbers in order to file a complaint. He was not even given a copy of the report they filed against him.</p> <p>The case was initially brought to the attention of the Pro-Language Platform through the social media, which took charge of the victim's legal aid. This aggression is the latest in the other 265 complaints referred to the Catalan NGO, 15 of which correspond to harassment or humiliation at the hands of the Public Administration.</p>				
<p>Source: <i>The Pro-Language Platform regards the new case of discrimination at la Jonquera as unacceptable</i> Plataforma per la Llengua <a href="https://www.plataforma-llengua.cat/que-fem/noticies/2944/la-plataforma-per-la-llengua-considera-intolerable-el-nou-cas-de-discriminacio-a-la-jonquera">https://www.plataforma-llengua.cat/que-fem/noticies/2944/la-plataforma-per-la-llengua-considera-intolerable-el-nou-cas-de-discriminacio-a-la-jonquera</a> The Pro-Language Platform detected the complaint through the social media.</p>				

## 37 (87). A county spokesperson of Joves amb Compromís held by the police for speaking Valencian

Date:	Administration:	Organisation:	Place:	Territory:
23/12/2015	Central State Administration	Civil Guard	València (l'Horta)	Valencian Country
Victim: <b>Ivan Jordà Banyuls, spokesperson of Compromís in l'Alcoià, Comtat i les Foies</b>				
<p>Description of the case: <b>Ivan Jordà was stopped at a police control in Valencia one day when he was wearing a T-shirt against the <i>lleï mordassa</i> (gag law). The police stopped him and asked him for his Spanish Identity Card (DNI). He explained, in Catalan, that he was actually on his way to pick his card up.</b></p> <p>The officer reacted bluntly, retorting: "You owe me respect, so stop talking to me in <i>effing</i> Valencian". He then put the young man in the police car.</p> <p>After contacting police headquarters, and once the young man had been verbally identified (a procedure that should have been carried out immediately, as is provided for by the law), he let the young man go without charging him.</p> <p>The county executive committee of Joves amb Compromís expressed its support and solidarity towards Ivan Jordà Banyuls "because it is intolerable that a citizen can be intimidated in such a way simply for speaking Valencian when he was trying to identify himself.</p>				
<p>Source: <b><i>A county spokesperson of Joves amb Compromís held by the police for speaking Valencian</i></b> La Veu del País Valencià.  <a href="http://www.laveupv.com/noticia/17476/%20un-portaveu-comarcal-de-joves-amb-compromis-retingut-per-la-policia-per-parlar-en-valencia">http://www.laveupv.com/noticia/17476/%20un-portaveu-comarcal-de-joves-amb-compromis-retingut-per-la-policia-per-parlar-en-valencia</a></p>				

## Casos anteriors (període març 2007-juny2013)

1. 16/03/2007 **A Judge of the Civil Registry of Badalona obliged a couple to get married in Spanish although his command of Catalan had already been substantiated**

Source: *A couple file a complaint against a judge from Badalona before the Higher Court of Justice of Catalonia for forcing them to get married in Spanish.* Vilaweb  
[www.vilaweb.cat/ep/ultima-hora/2316923/20070316/parella-denuncia-davant-tsjc-jutge-badalona-forcar-casament-castella.html](http://www.vilaweb.cat/ep/ultima-hora/2316923/20070316/parella-denuncia-davant-tsjc-jutge-badalona-forcar-casament-castella.html)

2. 16/03/2007 **A doctor is dismissed from a municipal sports centre in Prat de Llobregat for speaking Catalan to the patients**

Source: *A doctor is sacked for talking to clients in Catalan.* El Punt Avui  
<http://hemeroteca.e-noticies.com/edicio-1793/actualitat/acomiaden-una-metgessa-perqu%e8-es-dirigia-als-clients-en-catal%e0-20711.html>  
*The doctor accused of not wanting to speak Spanish is reinstated by the City Council of Prat de Llobregat*  
[http://www.elprat.cat/noticies/detallNoticia/\\_ZCZRBU1Qu4chuvn2OwPJatNgFe4I7t9YWgWAYmaltqgxYDFv-6USRg](http://www.elprat.cat/noticies/detallNoticia/_ZCZRBU1Qu4chuvn2OwPJatNgFe4I7t9YWgWAYmaltqgxYDFv-6USRg)

3. 17/04/2007 **A former socialist senator is obliged to speak Spanish amid the jokes of some security guards**

Source: *Obliged to speak Spanish by security guards on the AVE train from Lleida.* E-Notícies  
<http://hemeroteca.e-noticies.com/edicio-1812/actualitat/vigilants-de-lave-de-lleida-obliquen-a-parlar-en-castell%e0-21976.html>

4. 16/08/2007 **A Moroccan translator is insulted for addressing the Civil Guard in Catalan in Palma (Majorca) and is fined for making offensive remarks**

Source: *Disciplinary action will be taken against the police officers from Palma who harassed Saïda Saddouki .* Vilaweb  
<http://www.vilaweb.cat/noticia/2533496/20070831/obriran-expedient-agents-palma-vexar-saida-saddouki-parlar-catala.html>  
*The judge finds Saïda guilty of making serious offensive remarks.* Diari de Balears  
<http://dbalears.cat/actualitat/balears/la-jutgessa-condemna-saida-per-injuries-greus.html>

5. 20/08/2007 **A councillor of Indara (Marina Alta), fined, humiliated and described as a "yokel" by two Civil Guards for speaking Valencian**

Source: *Civil Guards reported for linguistic discrimination* Ràdio Pego  
<http://www.radiopego.com/index.php?name=News&file=article&sid=1413>

6. 03/12/2007 **Hèctor López Bofill and his wife are harassed and discriminated against for speaking Catalan in a RENFE station in Plaça Catalunya**

Source: *Renfe obliges López Bofill to speak "Spanish".* E-Notícies  
<http://hemeroteca.e-noticies.com/edicio-2006/actualitat/renfe-exigeix-parlar-en-castellano-a-l%F3pez-bofill-32317.html>

7. 07/01/2008 **A police officer harasses and orders a citizen to shut up for speaking Catalan in the police station of Sant Feliu de Llobregat**

Source: *"I don't want to speak Catalan, this is Spain".* E-Notícies

<http://hemeroteca.e-noticies.com/edicio-2033/actualitat/no-me-da-la-gana-hablar-en-catal%e1n-estamos-en-espa%f1a-33423.html>

**8. 28/02/2008 A young man is tried for disobedience of the authority in Maó for addressing National Police Force officers in Catalan**

Source: *A young man will stand trial in Maó tomorrow accused of disobedience to authority after addressing National Police Force officers in Catalan* . Europa Press  
<http://www.europapress.es/00059/20080227184617/jove-sera-jutjat-dema-mao-acusat-desobeir-lautoritat-despres-parlar-catala-policia-nacional.html>

**9. 30/08/2008 The Civil Guard deny the mayor of Montblanc's right to speak Catalan and report him**

Source: *The Civil Guard of Montblanc oblige the mayor to identify himself and speak Spanish*. Vilaweb  
[http://www.vilaweb.cat/www/elpunt/noticia?p\\_idcmp=2990136](http://www.vilaweb.cat/www/elpunt/noticia?p_idcmp=2990136)

**10. 15/11/2008 A young man brutally assaulted for interceding in a homophobic aggression is insulted in the National Police Force station for speaking Catalan when he went to report it. The officers branded him as "dumb" and a "show-off", according to his complaint.**

Source: *Ferran Giménez, Dénia. in Spanish! The security forces against Catalan (blog)*.  
<http://contraelcatala.blogspot.com.es/2012/11/ferran-gimenez-denia.html>

**11. 16/02/2009 A young man is held, pushed around and insulted for speaking Catalan in a National Police Force road control in the Cadí tunnel**

Source: *CAT on registration plates. A colonial chronicle in the Cadí Tunnel* Llibertat.cat  
<http://www.llibertat.cat/2009/03/el-cat-a-les-matricules.una-cronica-colonial-al-tunel-del-cadi-5989>

**12. 18/03/2009 A cultural expert from the City Council of Reus and a student are verbally harassed by a teacher for speaking Catalan on a course funded by the Ministry of Employment and the European Union**

Source: *Two residents of Reus report discrimination for speaking Catalan on a course paid for by the Government* Reus Digital  
<http://reusdigital.cat/noticies/dos-reusencs-denuncien-discriminaci-parlar-en-catal-en-un-curs-pagat-pel-govern>

**13. 22/05/2009 The Dean of the Electoral Board of Palma and a civil servant accuse an official representative of being "radical" for addressing them in Catalan and refuse to deal with him**

Source: *Joan Miquel Chacón, of ERC, reports two public officials of the Electoral Board who accused him of being "radical" just for speaking Catalan* Diari de Balears  
<http://dbalears.cat/actualitat/balears/m-han-humiliat-per-xerrar-la-meva-llengua.html>

**14. 07/08/2009 Two civil guards assault a young man from Majorca for speaking Catalan to them in the airport and are eventually convicted**

Source: *The Court upholds the conviction against the Civil Guard who assaulted Iván Cortès* Diari de Balears  
<http://dbalears.cat/actualitat/balears/l-audiencia-confirma-la-condemna-al-guardia-civil-que-agredi-ivan-cortes.html>

**15. 11/08/2009 A Peruvian woman who was applying for her child's identity card, arrested for speaking Catalan on the phone in a police station. The police officer who held and harassed her is sentenced to a**

**€70 fine for coercion.**

Source: *Rosario Palomino, Barcelona In Spanish! The security forces against Catalan (blog).* <http://contraelcatala.blogspot.com.es/2012/11/rosario-palomino-barcelona.html>

**16. 03/09/2009 A family misses its flight for addressing the Civil Guard in Catalan at Girona airport and is fined for disorderly conduct**

Source: *A passenger is tried for shouting at a Civil Guard in Catalan at the airport.* *Diari de Girona* <http://www.diaridegirona.cat/comarques/2010/02/21/jutgen-passatgera-laeroport-cridar-catala-guardia-civil/389058.html>

**17. 08/09/2009 A journalist from Northern Catalonia, held at a police control in La Jonquera for speaking Catalan and not knowing Spanish**

Source: *Account of the young man in an interview* *Ràdio Arrels* <http://www.youtube.com/watch?v=wX4O9CvQW0M>

**18. 30/09/2009 A judge from Elx slights Catalan and questions the right of a defendant and a witness to speak Catalan in a trial**

Source: *Judge and prosecutor slight Valencian and defend "the common language" during a trial in Elx.* *L'Accent. Periòdic Popular dels Països Catalans* <http://www.laccent.cat/index.php/paisos-catalans/repressio-i-drets/item/1457-jutgessa-i-la-fiscalia-menyspreen-el-valenci%C3%A0-i-fan-apologia-de-la-lengua-com%C3%BA-en-el-judici-d-elx>

**19. 07/12/2009 A man is refused medical care in the clinic of Benicarló for speaking Catalan. The man complains, and the Board of Health sanctions the practice by alleging that some of the staff are from outside the region and that they can speak Spanish. The Ombudsman of Valencia confirms that it is an infringement of linguistic rights.**

Source: *The Spanish police harass a journalist for speaking Valencian.* *El País* [http://elpais.com/diario/2009/12/07/cvalenciana/1260217077\\_850215.html](http://elpais.com/diario/2009/12/07/cvalenciana/1260217077_850215.html)

**20. 06/01/2010 National Police officers harass a journalist for speaking Valencian**

Source: *The Spanish police harass a journalist for speaking Valencian.* *Racó Català* <http://www.racocatala.cat/noticia/21539/policia-espanyola-vexa-periodista-parlar-valencia?pag=1>

**21. 02/02/2010 A Cuban citizen held at the Airport of El Prat denounces police harassment for speaking Catalan. The police were negatively surprised at his proficiency and retorted: "Fuck, you speak Catalan really well!"**

Source: *"Fuck, you speak Catalan really well!"* *Sant Andreu de Palomar (in the Avui newspaper)* <http://www.sant-andreu.com/catXppcc/agressionsllengua-cojonesquebienablascatalan-020210.htm>

**22. 04/03/2010 A resident of Pollença, forced to speak Spanish by the Civil Guard during an identification, even although the officers understood Catalan**

Source: *Civil Guard order drivers to speak Spanish.* *El Mundo* <http://www.elmundo.es/elmundo/2010/05/18/baleares/1274201518.html>

**23. 16/04/2010 A patient is ejected from a health centre in Inca for**

## addressing a general practitioner in Catalan

Source: *The OCB reports a further case of linguistic aggression, this time in the Inca health centre.* OCB <http://dbalears.cat/actualitat/balears/l-ocb-denuncia-una-nova-agressio-linguistica-aquest-cop-al-centre-de-salut-d-inca.html>

24. 14/05/2010 Two young Majorcans, held by the Civil Guard at a roundabout in Porreres for speaking Catalan

Source: *The OCB reports three cases of linguistic discrimination by the Civil Guard.* OCB <http://dretsling.blogspot.com/es/search?updated-max=2010-07-13T09:20:00-07:00&max-results=3&start=27&by-date=false>

25. 29/06/2010 Hours of delay in giving medical care to an 80-year-old woman from Alcoi because the emergency workers did not understand Catalan

Source: *Judgement by the Ombudsman of Valencia, Complaint case 105524 Subject: Right of citizens to choose their language* Ombudsman of the Autonomous Community of Valencia <http://www.elsindic.com/Resoluciones/10301154.pdf>

26. 29/10/2010 A driver, insulted and harassed by the Civil Guard at the Andorran border for speaking Catalan with her partner

Source: Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in November 2010

27. 22/01/2011 A citizen from Costera, ridiculed by the Civil Guard for having a Catalan name in a routine control in Ontinyent

Source: Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in January 2011.

28. 28/01/2011 An official of the Northern Station of Valencia refused to attend a disabled user because the person's companion addressed him in Catalan

Source: *An ADIF worker refuses to attend an enquiry in Valencian regarding a disabled passenger* Valencianisme.com [http://www.valencianisme.com/index.php?option=com\\_content&task=view&id=2839&Itemid=48](http://www.valencianisme.com/index.php?option=com_content&task=view&id=2839&Itemid=48)

29. 02/03/2011 The Spanish Supreme Court dismisses an appeal against a ruling issued in Barcelona because it was worded in Catalan

Source: *The Supreme Court ignores an appeal against a ruling issued in Barcelona because it is worded in Catalan.* EIPuntAvui <http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/377283-el-suprem-ignora-un-recurs-a-una-sentencia-de-barcelona-perque-esta-fet-en-catala.html>

30. 23/05/2011 A citizen from Cambrils, ridiculed and humiliated at a Spanish ID card office for wanting to speak Catalan

Source: Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in May 2011.

31. 06/01/2012 Healthcare denied to a citizen from Crevillent, who is ridiculed for speaking Catalan

Source: *A doctor in Crevillent refuses to attend a patient because he spoke Catalan.* EIPuntAvui <http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/496105-un-metge-de-crevillent-es-nega-a-atendre-un-pacient-perque-parla-en-catala.html>

32. 18/01/2012 **A language planning officer, sacked from the City Council of Dènia for reporting non-fulfilment of the linguistic legislation**

Source: *Intolerable act against a language defender* . Acció Cultural del País Valencià  
<http://acpv.cat/web/actualitat/acte-intolerable-contra-un-defensor-de-la-llengua>

33. 21/01/2012 **A driver from Empordà, held and threatened for addressing the Civil Guard in Catalan**

Source: *The Civil Guard is investigating coercion due to the use of Catalan* . EIPuntAvui  
<http://www.elpuntavui.cat/noticia/article/24-puntdivers/4-divers/497809-la-guardia-civil-investiga-les-coaccions-per-lus-del-catala.html?dema=1>

34. 28/01/2012 **A civil guard assaults a lawyer at El Prat airport (Barcelona) for refusing to speak Spanish**

Source: *A young man reports the Civil Guard for assaulting him at Barcelona airport for speaking Catalan* Diari Ara [http://www.ara.cat/societat/Guardia\\_civil-catala-El-Prat-agressio-Mossos-llengua\\_0\\_635336654.html](http://www.ara.cat/societat/Guardia_civil-catala-El-Prat-agressio-Mossos-llengua_0_635336654.html)

35. 07/02/2012 **A couple from Reus is open to pay €180 to the City Council to be married in Catalan, after the Civil Registry obliged them be wed in Spanish**

Source: *In Reus it will cost you €180 to get married in Catalan*. Reus Digital  
<http://reusdigital.cat/noticies/reus-si-et-vols-casar-en-catal-et-fan-pagar-180-euros>

36. 25/02/2012 **A young Majorcan is reported for disrespect for the authority for speaking Catalan to a member of the National Police Force during a demonstration**

Source: *A national police force officer reports a young Majorcan for speaking to him in Catalan*. Diari ARA [http://www.ara.cat/politica/Palma-Urdangarin-catala-guardia\\_civil-denuncia-Instituto\\_Noos\\_0\\_652734836.html](http://www.ara.cat/politica/Palma-Urdangarin-catala-guardia_civil-denuncia-Instituto_Noos_0_652734836.html)

37. 05/05/2012 **A citizen enters a Civil Guard Police Station to make a complaint and is reported for speaking Catalan**

Source: *"I wanted to make a complaint and ended up on the wrong end of one" Jordi Alegre summonsed to the courts in Inca for disobedience of authority. He tried to speak Catalan to the Civil Guard* Diari de Balears  
<http://dbalears.cat/actualitat/balears/volia-posar-denuncia-citen-com-denunciat.html>

38. 30/05/2012 **A resident of Alt Empordà, verbally and physically assaulted by a pair of Civil Guard officers and tried for refusing to speak Spanish**

Source: *Two civil guards on trial for harassing a resident of Vilajuïga for refusing to speak Spanish*. Vilaweb  
<http://www.vilaweb.cat/noticia/4025869/20120704/dos-guardies-civils-judici-vexar-vei-vilajuiga-negava-parlar-espanyol.html>

39. 27/06/2012 **A resident of l'Ametlla del Vallès, illegally held at Barcelona airport for speaking Catalan and English**

Source: *Held by the National Police Force at El Prat airport for speaking only English or Catalan*. Diari ARA  
[http://www.ara.cat/societat/Retingut-Policia-Nacional-aeroport-Prat-catala\\_0\\_726527425.html](http://www.ara.cat/societat/Retingut-Policia-Nacional-aeroport-Prat-catala_0_726527425.html)

40. 07/07/2012 **A young Majorcan spends a night in jail for not answering the Civil Guard in Spanish**

Source: *The Civil Guard arrests an Arran militant for failing to answer in Spanish.* Setmanari Directa

<http://www.setmanaridirecta.info/noticia/guardia-civil-arresta-un-militant-maulets-negar-se-contestar-los-castella>

41. 20/08/2012 **A police officer at the National Police Force station in Vic refuses to attend to a citizen for speaking Catalan and threatens him**

Source: Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in September 2012 and published: *The Pro-Language Platform reports a new case of linguistic discrimination at the National Police Force station in Vic.* Pro-Language Platform

<https://www.plataforma-llengua.cat/noticies/interior/1978>

42. 07/09/2012 **A traveller is held by the National Police Force at Barcelona airport for giving his identity card number in Catalan**

Source: *Held at the airport for speaking Catalan.* Blog Plataforma per la Llengua

<http://blogspersonals.ara.cat/elcatalasuma/2012/09/20/retingut-a-laeroport-per-parlar-en-catala/>

43. 10/10/2012 **A female judge from Cantabria takes the custody of a daughter away from a Catalan citizen alleging that he spoke to her in Catalan to separate her from her mother**

Source: *A female judge from Cantabria takes away a Member of the Catalan Autonomous Police Force's custody of his daughter for "not teaching her Spanish".* El Periòdic

<http://www.elperiodico.cat/ca/noticias/societat/jutge-cantabria-retira-custodia-fills-mosso-per-ensenyar-li-castella-2222913>

44. 30/10/2012 **The Tax Authorities refuse to process a widow's pension alleging that the death certificate was submitted in Catalan**

Source: *The Pro-language Platform denounces that the Ministry of Finance failed to process a widow's pension because the death certificate was in Catalan.* Plataforma per la Llengua (Pro-Language Platform)

<http://www.plataforma-llengua.cat/noticies/interior/1967>

45. 21/12/2012 **A driver from Almenara loses his driving license and is held for three hours at a Civil Guard control for speaking Catalan**

Source: *"I lost my driving license for speaking Valencian".* Vilaweb

<http://www.vilaweb.cat/noticia/4068300/20121223/mhan-retirat-carnet-conduir-parlar-valencia.html>

46. 31/12/2012 **A resident of Vistabella del Maestrat, harassed and called ill-mannered by a doctor of the Hospital Jaume I de Castelló de la Plana for speaking Valencian**

Source: *The Pro-Language Platform gives legal counselling to the victim of a new case of linguistic discrimination in the Hospital Jaume I in Castelló de la Plana.* Plataforma per la Llengua (Pro-Language Platform)

<https://www.plataforma-llengua.cat/noticies/interior/2050>

47. 05/03/2013 **The Valencian Government shuts down Canal 9, the last remaining Catalan television station in the Valencian Country, and denies the laid-off workers the right to be given their notice in Valencian**

Source: *The Ombudsman asks RTVV why it notified the dismissed workers about the redundancy scheme only in Spanish.* Ombudsman of the Valencian Community  
<http://www.elsindic.com/es/noticias/2013/03/15/el-sindic-de-greuges-pregunta-a-rtvv-por-que-informa-a-los-despedidos-por-el-ere-solo-en-castellano.html>

48. 23/03/2013 **The flute player in the Obrint Pas group, arrested, threatened and assaulted for addressing two National Police Force officers in Valencian**

Source: *A policeman shouts at Miguel Gironès (Obrint Pas): "Speak to me in Spanish, for fuck's sake!"*. Vilaweb  
<http://www.vilaweb.cat/noticia/4109561/20130427/policia-miquel-girones-obrint-pas-em-parles-espanyol-collons.html>

49. 27/03/2013 **A lecturer at the Jaume I University of Castelló devotes his time to demonstrating the uselessness of Valencian and calls a student who complained about his teaching methods a "crusty"**

Source: *Pro-Spanish indoctrination by a lecturer of the Jaume I University of Castelló.* Vilaweb  
<http://www.vilaweb.cat/noticia/4099387/20130327/adoctrinament-espanyolista-professor-universitat-jaume-castello-acabar.html>

50. 05/03/2013 **A father and his son are insulted by two National Police Force officers on a regional train in Figueres for not speaking in Catalan and failing to heed coercion ("in Spanish or not at all")**

Source: Complaint received via e-mail by the linguistic complaints section on the website of the Pro-Language Platform in April 2013.  
*New case of linguistic aggression by the Spanish police in Figueres.* EIPuntAvui  
<http://www.elpuntavui.cat/noticia/article/2-societat/5-societat/640659-denuncia-uns-policies-que-li-exiqien-de-parlar-en-castella.html>

## 6. The application of Spanish law is also discriminatory

As has already been stated, the cases collected by the Pro-Language Platform have a common component: they either contain harassment or abuse or a refusal to attend to citizens in Catalan, thus breaching Spanish law.

Unfortunately, however, even although the European Charter for Regional or Minority Languages establishes that all unjustified preference for one language must be eradicated, Spanish legislation continues to discriminate in favour of Spanish in hundreds of laws. The Pro-Language Platform has been submitting reports for a long time denouncing such laws that favour Spanish in different areas. Throughout the time we have been collecting information, we have been detecting cases in which linguistic discrimination has occurred through the very application of the law.

Such is the case, for example, of the application of the trademarks and patents legislation. In 2015 there have been two cases in which Catalan companies have been jeopardised because the documentation they submitted to the trademarks and patents office contained documents or parts of documents in Catalan. More specifically, the registration of the trademark of the company owned by Jordi Forcada<sup>23</sup> was rejected because the description of the product included in the application states, in Catalan: "VENDA DE PRODUCTES ALIMENTARIS" (Catalan) instead of "VENTA DE PRODUCTOS ALIMENTARIOS" (Spanish). The "Padeling" trade mark of the Last Minute Sports SL<sup>24</sup> company also encountered the same difficulty since, even although it is a trademark for an application that facilitates the meeting of people to play paddle tennis and operates in Spanish, it belongs to a company that presented its articles of association in Catalan, for which reason the registration was rejected and the company had to have the articles of association translated.

Besides these cases, mention should also be made of the situation suffered by Ferran Nieto,<sup>25</sup> a citizen of Barcelona, who has a daughter, a minor, who lives in

23. Source: Interview with Jordi Forcada on Catalunya Ràdio on 29/01/2015: <http://www.ccma.cat/catradio/alacarta/El-mati-de-Catalunya-Radio/La-historia-de-Jordi-Forcada-de-com-tres-paraules-poden-ser-un-conflicte/audio/867397/>

24. Source: *Catalan is an expense in trademark registration*. Via Empresa <http://www.viaempresa.cat/ca/noticies/2015/05/el-catala-es-una-despesa-en-el-registre-de-marques-12562.php>

25. Source: *"The Spanish consulate in Bogota rejected my daughter's Catalan language birth certificate"*. La Vanguardia <http://www.lavanguardia.com/vida/20150519/54431318060/consulado-rechaza-partida-nacimiento-catalan.html>

Colombia. When he initiated the formalities with the Spanish consulate in Bogota for his daughter to visit him, the Consul refused to carry out the relevant administrative registration formalities because the birth certificate was in Catalan and they only accept documents in Spanish. The fact that the document had been issued by a Spanish administration did not make any difference, since in practice a regulation that is normally used for foreign documentation and languages was applied to it.

One of the recently approved discriminations accentuates the predominance of Spanish in the educational system. With the approval of the new Organic Law for the improvement of educational quality, not only is Spanish maintained as the only compulsory language in teaching throughout the territory, with no exceptions made, but parents' right to choose Spanish as an educational language in the Autonomous Communities where there are education systems in other languages is also being protected.

More specifically, the law allows the parents of pupils who have not had the option to have their children schooled in Spanish to apply for compensation from the State if they decide to use this right by registering their children in private schools. This compensation, which must ultimately be paid for by the budgets of the autonomous communities, is not provided for in the case of parents who are in the opposite situation, i.e. with their children deprived of an education in Catalan, as is the case of many parents in the the Catalan-speaking counties of Aragon or in the Valencian Country. This occurred precisely to a Valencian family that lives in Xirivella (l'Horta),<sup>26</sup> who, lacking the option to have their daughter schooled in Catalan in the village, registered her in a public-private school of the neighbouring town of Picassent, and asked the Spanish Ministry of Education to meet the extra costs that exercising this right involved; the Ministry's refused to pay the compensation, since the Law clearly states that only Spanish is eligible for this option.

We continually denounce the fact that not only are most of the discriminatory laws and provisions regarding the relationship between citizens and the administrations not being repealed but rather that new ones are being enacted.

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26. **Source:** *Wert will not pay schooling in Valencian for the family from Xirivella that requested it.* El Diario.es [http://www.eldiario.es/cv/Wert-escolarizacion-valenciano-familia-Xirivella\\_0\\_235526807.html](http://www.eldiario.es/cv/Wert-escolarizacion-valenciano-familia-Xirivella_0_235526807.html)

State monolingualism continues to be promoted in the new legislation. In the period studied, we find, for example, Order SSI/1507/2014, of July 19, which establishes the rules of the Government Office's Gender Violence Award, which requires PhD theses to be submitted in Spanish.

In fact, the permanent subordination of Catalan language in the uses of the administration demonstrates, on a daily basis, that guaranteeing linguistic rights is not a citizens' priority. Thus, we continue to see how the only legally valid version of the Official State Gazette (BOE) is the Spanish version. For example, in 2014, the HAP/1940/2014 Order, of October 15, was approved, which regulates the general Point of access of the Spanish administrations, opened in a single-language version in Spanish, with the provision that the other languages will be added when it is possible.

Finally, it is important to point out that the way that the Spanish justice system handles these cases of discrimination does not help to reduce them or to promote a change of values that punishes and does not tolerate attitudes and practices against Catalan speakers. It should be remembered that 2015 was not only a year in which discrimination took place in the area of justice, but also that two complaints were dealt with in cases collected in the previous period corresponding to aggressions by the State security forces. In both cases, the aggressions went unpunished.

The first case occurred in April 2015, when the National Court of Barcelona decided to overrule the appeal lodged by a lawyer assaulted in 2012 (case number 34 of the 2007-2013 period). The Pro-Language Platform denounced several irregularities in the case, since before it was resolved, three warnings by the National Court of Barcelona stating that the case was not being properly managed were ignored<sup>27</sup>.

The other case is the trial of Miquel Gironès, the flute player of the Obrint Pas group who filed a complaint for illegal detention and assault by two National

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<sup>27</sup> **Source:** *The Pro-Language Platform denounces procedural irregularities in the case of the lawyer assaulted by the Civil Guard in 2012 for addressing them in Catalan.* Plataforma per Llengua. <https://www.plataforma-llengua.cat/que-fem/noticies/2823/la-plataforma-per-la-llengua-denuncia-irregularitats-processals-en-el-cas-de-ladvocat-agredit-per-la-guardia-civil-el-2012-per-adrekar-shi-en-catala>

Police Force officers. In November 2015, the provincial Audience of Valencia absolved them<sup>28</sup>, finding that “both parties upheld their version with the same vehemence”.

These events have gone unpunished, and no corrective measures have been taken by the Spanish Administration. When a society has a problem of intolerance by part of its citizens, and moreover when this intolerance pervades the practices of the public administrations, measures need to be taken to bring about a general change in daily practice. The implementation of a training plan, the creation of monitoring agencies, or the reform of the legal framework in order to acknowledge this discrimination as an offence and/or as an aggravating circumstance in offences, and the taking of measures to protect the victims, are some of the paths that could be taken by a society that seeks to rid itself of a social problem of this severity and magnitude.

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<sup>28</sup> **Source:** *The Audience of Valencia clears two Spanish Police officers accused of illegally arresting and assaulting Miquel Gironès.* Vilaweb. <http://www.vilaweb.cat/noticies/laudiencia-de-valencia-absol-els-dos-policies-espanyols-acusats-de-detener-illegalment-i-agredir-miquel-girones/>

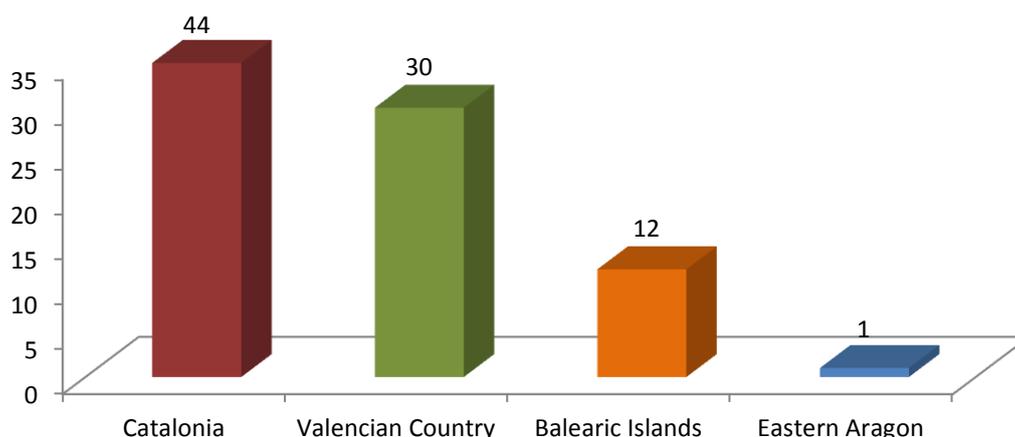
## 6. Anàlisi dels casos de discriminació lingüística

Now that these 37 cases of linguistic demonstration that occurred in the Spanish-speaking territories during the period comprised between July 2013 and December 2015 have been systematically described, we will go on to analyse the statistical regularities of the set of cases studied, while also including the 50 previous cases.

### ***Territorial Analysis***

Figure 7.1 shows that more than a half of the cases recorded took place in Catalonia (50.57%). The other half is distributed across 30 cases in the Valencian Country (34.48%), 12 cases in the Balearic Islands (13.79%) and the case recorded in the Catalan-speaking counties of Aragon (1.15%).

**Figure 7.1. Cases of linguistic discrimination according to the territory in which they occurred, March 2007-December 2015.**



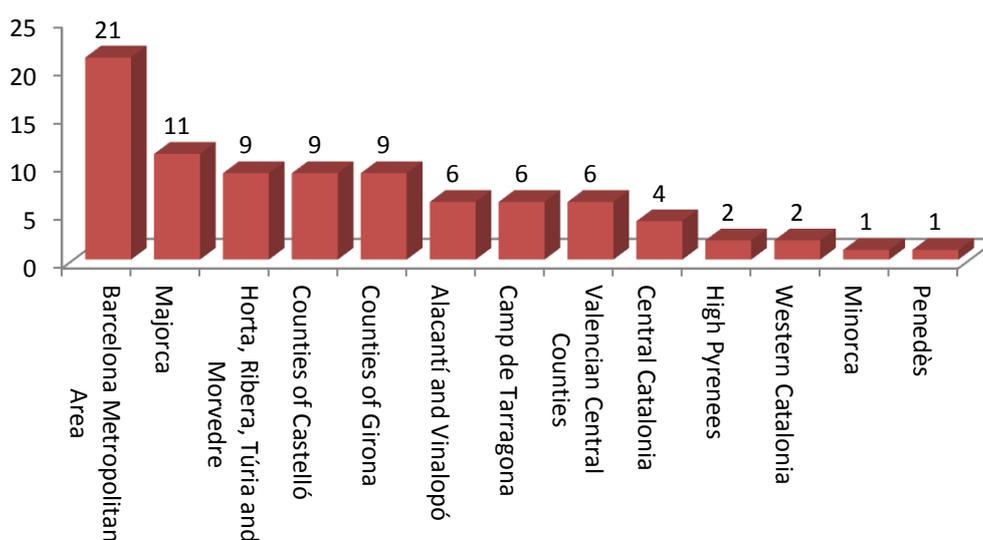
**Source:** *Own data*

If we take the distribution of the cases throughout the territory into account, it transpires that discriminations have been detected in virtually all the corners of the Spanish-speaking territories. The cases of discrimination have taken place in 35 different counties, particularly the County of l'Horta (where the city of Valencia is) with 9 cases, el Barcelonès and el Baix Llobregat, each one with 8 discriminations, l'Alt Empordà with 7 and the city of Palma and la Plana Alta with 6. Part of this predominance is explained by the fact that these counties

have capital cities where the institutions are located, as well as important border crossings, such as the French-Spanish frontier or the Prat Airport in Barcelona.

Figure 7.2 depicts the distribution by territorial areas of the cases of discrimination collected in the report, and it is clear that discriminations have been recorded in almost all points in the territory, although the most populated areas are the most notable ones. The high number of discriminations occurring in the counties of the north of the Valencian Country (shown in the table as counties of Castelló) is highly noteworthy, even the territory is a less populated than others with fewer discriminations, such as the central counties of the Valencian Country.

**Figure 7.2. Cases of linguistic discrimination by territorial area (by groups of counties March 2007 – December 2015)**



Source: Own data

### **Type of administration**

If we take into account the administration where the discriminations take place, we see an outstanding prominence of the Spanish Central Administration, with 79.31% of all the cases described. A long way off are the discriminations that took place in Autonomous Administrations, which account for a total of 16.09%;

and finally, 4.59% of the cases that took place in a local administration. This can be seen in figure 7.3.

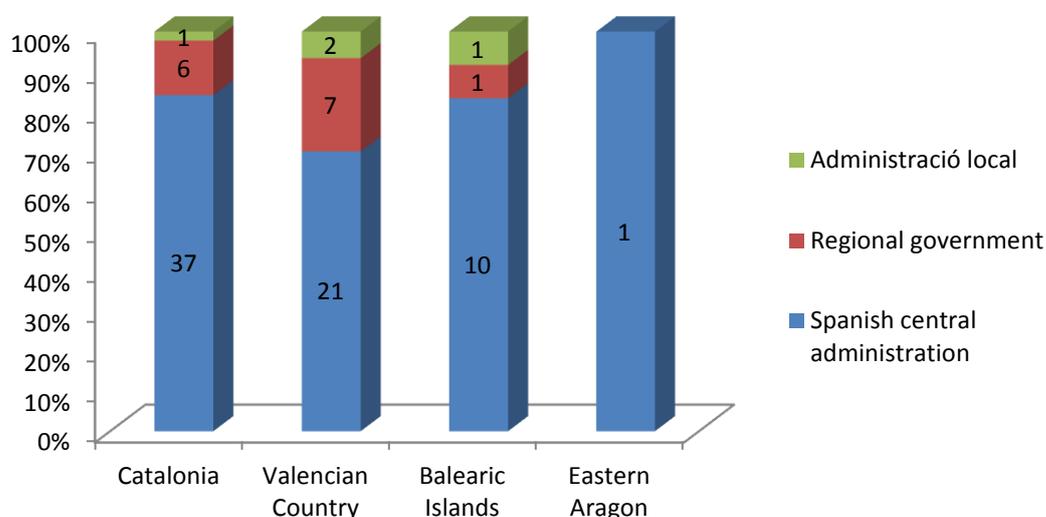
**Figure 7.3. Cases of linguistic discrimination according to the Administration involved, March 2007 – December 2015.**

Administration	Cases	Percentage
Autonomous administration	14	16,09%
Central administration	69	79,31%
Local administration	4	4,59%
General total	87	100,00%

Source: Own data

Figure 7.4 shows the distribution of the cases, comparing administration and territory. The most significant datum is that the Valencian Country is the autonomous administration with the highest proportion of cases (23.33% of the total number of cases of the Valencian Country), well above the proportion of Catalonia (13.64%) or the Islands (8.33%).

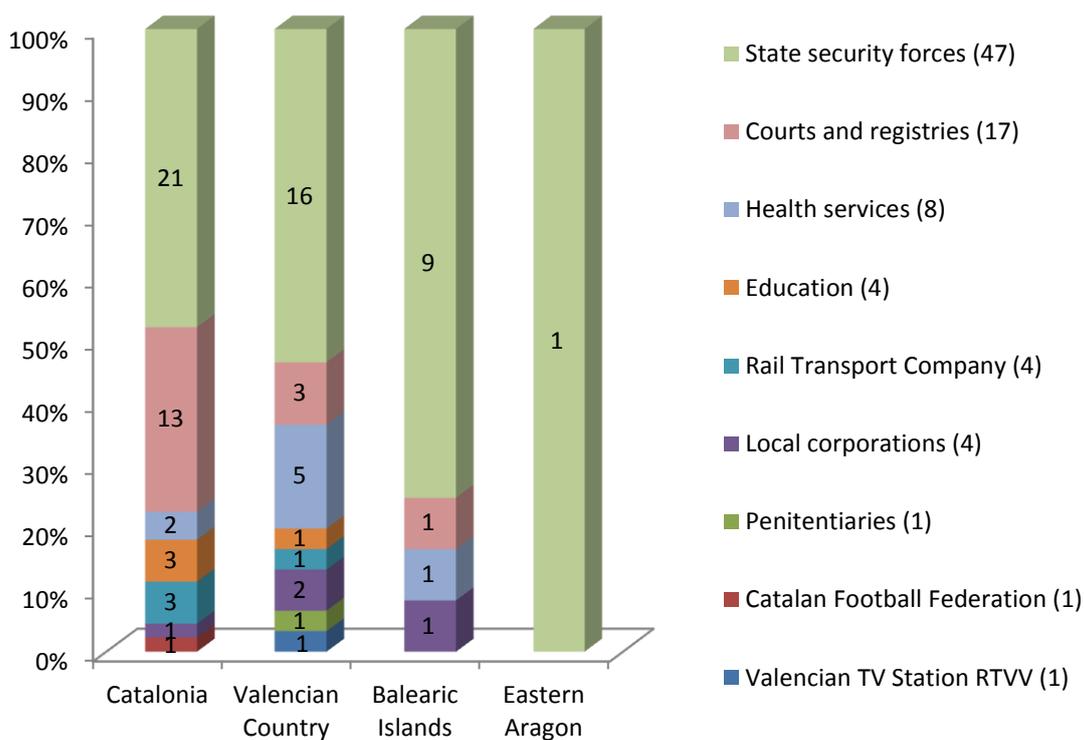
**Figure 7.4. Cases of linguistic discrimination according to the Administration involved and the territory in which it occurred, March 2007 – December 2015**



Source: Own data

The high proportion and high number of cases that have taken place in the Spanish central Administration shows how these institutions evince major deficiencies with regard to guaranteeing that linguistic rights provided for by the legislation. This report has gradually warned of the scant relationship between the approval of a right and the approval of measures that make it possible to guarantee this right, and this predominance demonstrates this assertion.

**Figure 7.5. Organisation and institutions involved in cases of linguistic discrimination, March 2007 – December 2015**



Source: Own data

If we break down the discriminations recorded according to the organisations where they take place, we can see how the 47 discriminations recorded among the State Security Forces account for more than half (54.02%) of the total. Of these cases, 26 were perpetrated by the National Police Force and 21 by the Civil Guard.

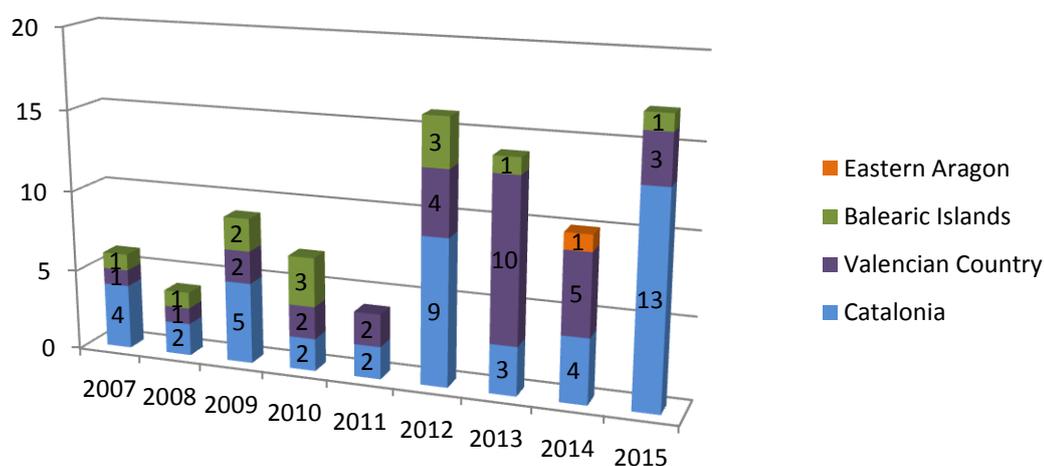
The 17 discriminations in registries and courts take second place. Thirteen (13) of these cases occurred in Catalonia; we could infer that this concentration is due to the greater use of Catalan in the public area by the citizenry of this territory. In the state administrations, the 4 cases of discrimination in the railway sector are also deserving of mention (Renfe or Adif).

Of the discriminations that occurred in the Autonomous Administrations, there were 8 in health, 5 of which occurred in the Valencian Healthcare Agency. Special mention should also be made of the 4 cases in education, particularly in Catalonia, where 3 cases of discrimination with major harassment of students for wanting to use their linguistic rights were reported, together with the case of discrimination in the Jaume I University of Castelló.

### ***Evolution over Time***

Analysing the evolution of linguistic discrimination cases by year (see figure 6.6), it transpires that 2015 was the year in which the greatest number of cases of linguistic discrimination were collected, 17 in a single year (19.54% of all cases), 12 of which occurred in the first six months. The high number of cases that took place in 2012 is striking; 16 cases (18.39% of the total). The third year with most cases, 2013, with 14 cases (16.09%), is not far behind, two less than the previous year.

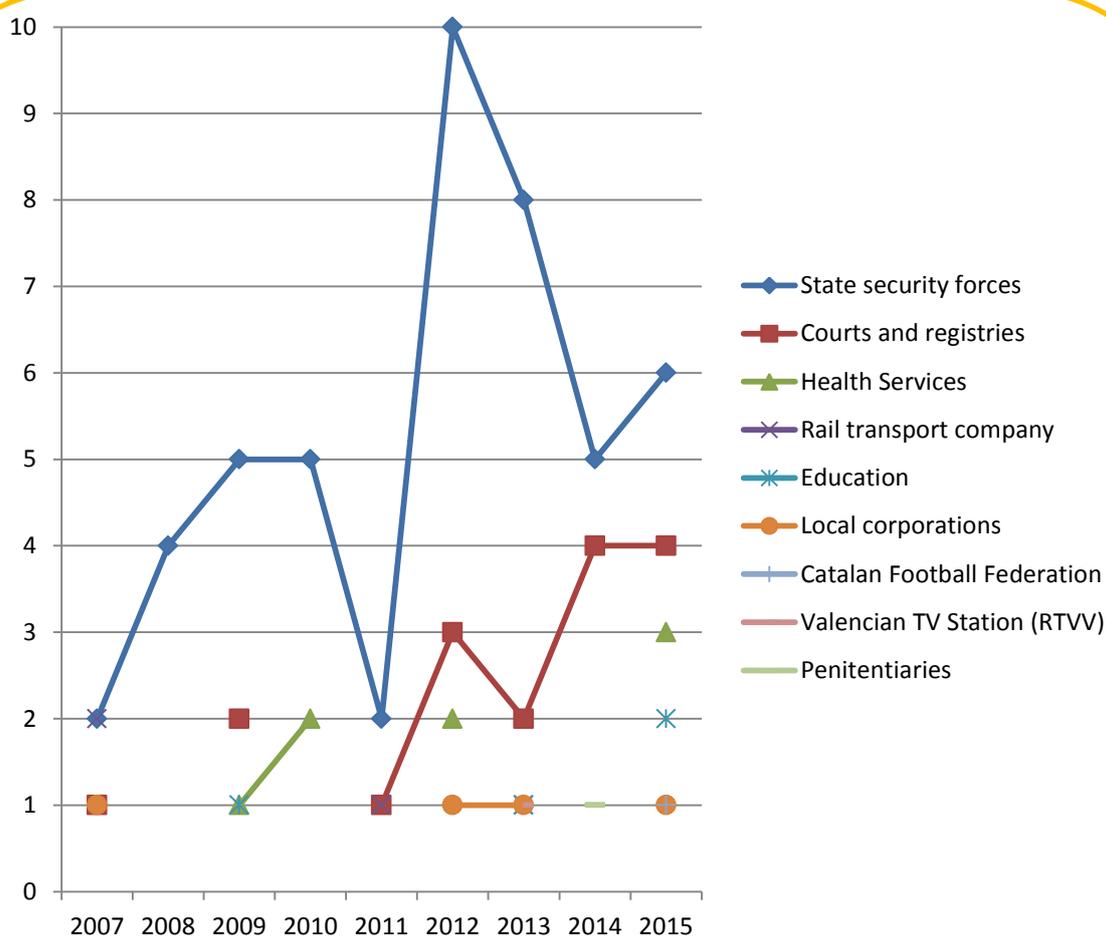
**Figure 7.6. Cases of linguistic discrimination in the public administrations by year, March 2007 – December 2015.**



Source: Own data

Although discrimination in itself is highly random, certain trends can be observed with regard to evolution over time, according to areas and organisations. Thus, the years 2012 and 2015 are particularly active in cases of linguistic discrimination by the State Security Forces. On the other hand, discrimination in courts and registries have been detected particularly in the last two years, as can be seen in figure 7.7.

**Figure 7.7. Cases of linguistic discrimination in the public administrations by year and area, March 2007 – December 2015.**

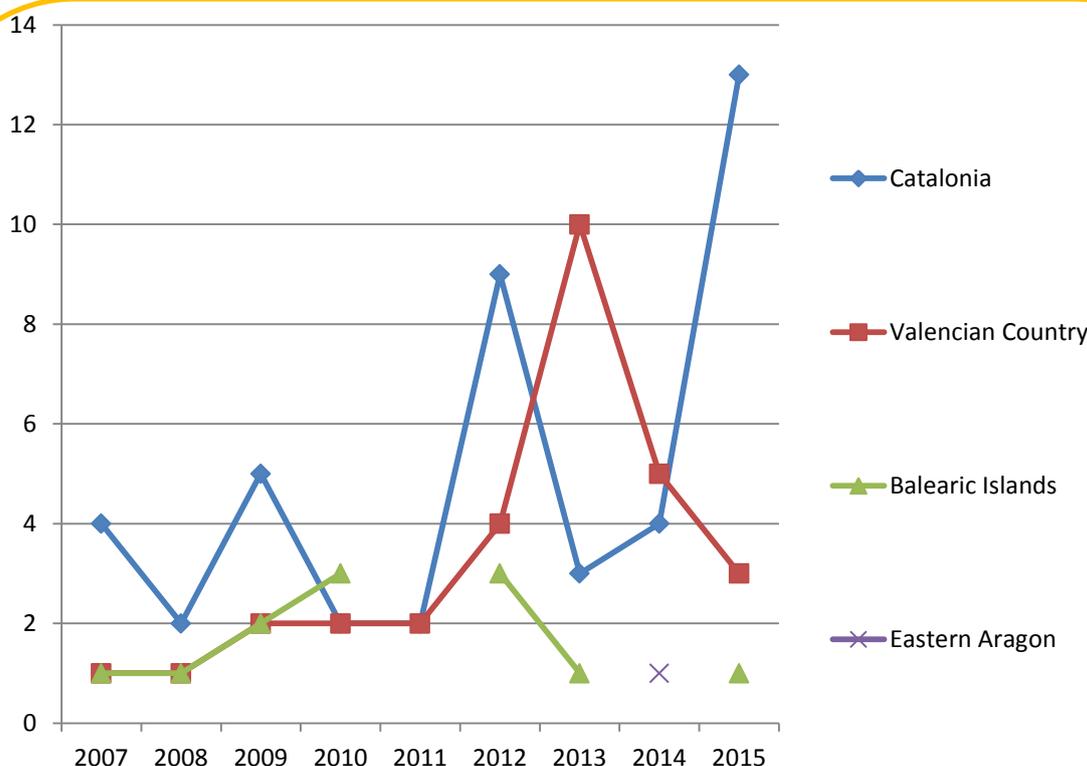


Source: Own data

Differences by territory can also be observed. As can be seen in figure 7.8, in 2015, the majority of discriminations (13 out of 17) took place in Catalonia, which had been different in other years, such as 2013, when many more cases

of discrimination were detected in the Valencian Country (10) than in Catalonia (3). The islands present an more even distribution over time.

**Figure 7.8. Cases of linguistic discrimination in the public administrations by year and territory, March 2007 – December 2015.**

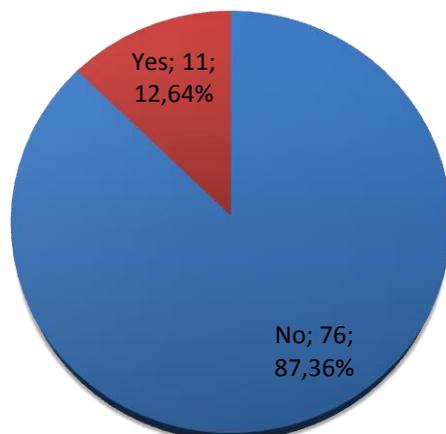


Source: Own data

### **Physical assaults**

Another one of the aspects analysed in both this and the previous report are cases in which discrimination is accompanied by physical assault. As figure 7.9 shows, 12.64% of the cases analysed pertain to discriminations in which, besides harassment, a physical assault has also taken place. Unlike the previous report, this time it was not only the State Security Forces that perpetrated the assaults, since there was also one case involving Renfe staff and another case involving the security personnel of the Spanish Consulate.

**Figure 7.9. Physical assaults in the cases of linguistic discrimination in the public administrations, March 2007 – December 2015**



**Source:** *Own data*

The new discriminations include 5 that were accompanied by aggression. Mention should be made of the case that occurred in the musical festival of Arenal Sound de Borriana which, according to the version of the accusers, Civil Guard officers, jointly with the security staff, assaulted some young people who were attending the festival who had protested in Catalan about the linguistic discrimination that had been suffered by a young girl the previous day. Mention should also be made of how a grandfather and his grandson, both of them from Girona, had been ejected from a long-distance train that was made to stop in Montcada i Reixac, for speaking to the conductor in Catalan, who was eventually reported. There have also been new cases, such as the young man from Caldes de Malavella who was held and pushed about by the National Police Force in a police car, the mountain guide who was held and violently searched in la Jonquera in 2015 and the citizen ejected from the Spanish Consulate in Brussels for trying to present a complaint because a document he had submitted in Catalan to the courts in Sabadell had been rejected.

## 8. Conclusions

The report *The Catalan Case II. Thirty-seven new serious cases of linguistic discrimination in the public administrations in Spain. "If you address me in Catalan I'll suspend the proceedings". Castrated language rights in Europe*, submitted by the Pro-Language Platform, presents 87 cases of linguistic discrimination occurring in the last eight years (2007-2015) which citizens have forwarded to different organisations for the defence and promotion of Catalan language, and which have also reached public opinion through the media. This report is the second part of the report *"In Spanish or not at all": 40 serious cases of linguistic discrimination in the public administrations*, and describes, in greater detail, the **37 cases occurred in only two years and a half** in the period elapsed between July 2013 and December 2015.

As in the previous report, the Pro-Language Platform seeks to prove that it should be remembered that the cases of linguistic discrimination compiled **are only the visible part of a much more widespread problem. An important part of this type of cases of discrimination and harassment for language reasons is never actually recorded, since citizens fail to bring them to the attention of organisations, public institutions or the media.**

By compiling these cases of discrimination, the pro-Catalan NGO intends **to ensure that these situations are not silenced, and to question the appearance of normality and respect for Catalan by the institutions that the Spanish state sometimes seeks to convey, as well as the different reports on the fulfilment of the Charter of Regional or Minority Languages.** These reports selectively present the aspects in which the Spanish government can evince a respectful attitude towards these rights (which often come from actions taken by the autonomous institutions) and **do not publicise aspects that may favour discrimination, such as the lack of language preparation or training of the officers of the State Security Forces or of healthcare personnel in the Community of Valencia).** The latest Spanish report,<sup>29</sup> for example, on referring to progress made in the State Security Forces, only talks

29. Ministry of Finance and the Public Administrations (2014). *Fourth periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter – Spain*. on line [[http://www.coe.int/t/dg4/education/minlang/Report/PeriodicalReports/SpainPR4\\_en.pdf](http://www.coe.int/t/dg4/education/minlang/Report/PeriodicalReports/SpainPR4_en.pdf)] date queried 06-07-2015.

about written attention, and acknowledges that part of it is outsourced through translations. Guarantees to offset deficiencies in healthcare to citizens that speak Catalan in the Valencian Country, a request that expressed in the report by the Council of Ministers, are not even mentioned.

Therefore, the report you are holding is intended as a useful information tool for the administrations, institutions or citizens that require first-hand information about discrimination and cases. This year's edition features the novelty of a high proportion of cases that are reported directly to our organisation, some of them hitherto unknown. **The submittal of the 2013 report already helped, as has already been mentioned, the Member of Parliament Joan Tardà to present different cases of malpractice by the Administration to the General State Prosecutor. Moreover, the report was presented in the presence of members of the European Parliament in Brussels and in the *Universal Periodic Review* to the UNO in Geneva.**

The cases reported occur throughout the Catalan-speaking territories under Spanish sovereignty, thus repeatedly demonstrating that they are not isolated cases. Although the Spanish and European legislation guarantee the right to use Catalan language before public institutions and prohibits any type of discrimination for the language reasons, the Spanish State does not uphold this legislation. In view of this situation, **the linguistic rights of Catalan-speaking citizens, recognised by law, are not guaranteed. And as this report has shown, using such rights involves a risk of discrimination, harassment and even physical assault.**

As has already been said, **the last two and a half years have been particularly intense, and between 2013 and December 2015 alone some 37 new cases have been added to the 50 cases of the previous period.** By years, 2015 was particularly outstanding, since, with 17 cases of discrimination, it outperformed 2012, the year with most cases of discrimination (16), followed by 2013 (14, ten of them in the second half of the year). **The reasons for this increase may be found in greater awareness among citizens, the increased sentiments of hostility possibly spawned by the pro-Independence process in Catalonia, but above all in the greater use of**

**organisations that defend Catalan language, such as the Pro-Language Platform which, in the last two years, has directly collected 11 of the 37 cases recorded.**

It is important to emphasise that **the cases of discrimination collected are spreading all over the Catalan-speaking territories proportionally to demographics, albeit with a particular incidence in the territory where the headquarters of the administrations are located, such as the three capital cities (Barcelona, Palma and València) and the territories where there are border crossings (such as Alt Empordà, the Pyrenees or the port or airport authorities).** If we analyse the discriminations by territories, we can see that more than a half of the cases (41/82) take place in Catalonia, while the other half is divided between the Valencian Country (30 cases), the Balearic Islands (12 cases) and the Catalan-speaking counties of Aragon (1 case). Also striking is the high number of cases recorded in the island of **Majorca** (11), in the northern counties of the **Valencian Country** (la Plana and el Maestrat, which add up to 9) or the **counties of Girona** (9), or the county of l'Horta (with 9 discriminations, 7 of them in the city of Valencia) which, after the **Metropolitan Area of Barcelona**, with 21 cases of discrimination, are the areas with the greatest number of cases.

We can also see that not all levels of the Administration are equally involved in the infringement of the linguistic rights of Catalan-speaking citizens. **Of the 87 cases expounded in the report, 79.31% are discriminations in organisations or institutions reporting to the Spanish Central State Administration, particularly the State Security forces, which comprise both the National Police Force and the Civil Guard.** These two police forces account for a total of 54.02% of cases of linguistic discrimination. Therefore, we may draw the conclusion that if we examine the data presented in this report and the previous one, the State Security Forces continue to be the administrations where citizens' linguistic and civil rights are guaranteed least. This is particularly serious, since the Central Government is ultimately responsible for enforcing the laws and for observing and enforcing the international conventions signed and ratified by the State, such as the European Charter for Regional or Minority Languages. Moreover, **it is important to**

**highlight the democratic shortcomings of these police forces and their antagonism towards linguistic diversity, borne out by their behaviour in the cases described.**

It should be remembered that this bias in the police forces is nourished by the impunity they have had enjoyed up until now. In 2015 we detected two cases in which the courts did not take action against the accused police officers. Since a problem of intolerance deeply rooted in the Spanish corps of civil servants has been detected, **the Spanish State should accept that this problem exists and take measures to reduce such discrimination. In this regard, besides training activities for professionals, a legal reform that acknowledges these cases of discrimination as offences is called for, plus a renewal of the codes of conduct that will make it possible to prevent, and also penalise, such discrimination.** A positive mention must be made of the impact of the protests at the impunity with which many of these practices occur in the Spanish administration, which is increasing all the time. In one of the two cases that have been through the courts, and which ended in the absolution of the police officers accused of illegally arresting and assaulting the musician Miquel Gironés, the case reached the European institutions. Following a question by the Marina Albiol, Euro-MP of the Esquerra Unida party, **the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament decided to hold a debate to expound cases of linguistic discrimination**, in which the Pro-Language Platform helped to document the MEPs in some of the cases expounded in this report.

The Euro-MP Ramon Tremosa did not fare so well in 2012, when he asked the European Commission about the case of a young man from Majorca who had been fined for speaking Catalan to a Civil Guard. The European Member of Parliament asked if the reform of the Council Directive COM(2008)0426, on implementing the principle of equal treatment on equality, would include discrimination on account of language. The Commission responded that the European member states had not granted such powers to the European institutions. It is positive that four years later, Europe is addressing these questions within the framework of safeguarding civil liberties.

Moreover, one effective measure for preventing discrimination in the Spanish central Administration **is to take measures to guarantee Catalan-language training for personnel who work in Catalan-speaking territories**. After the Ruling of the Constitutional Court that the Autonomous Communities could regulate the training of the personnel of the Central administration, it is clear that it falls to the Spanish government to guarantee such training in order to safeguard speakers' linguistic rights. **This assertion is also endorsed by the latest document of recommendations issued by the Committee of Ministers of the Council of Europe for the fulfilment of the European Charter for Regional or Minority Languages by Spain**, in which the latter is asked to implement measures to guarantee a sufficient degree of training for the personnel of the Spanish Central Administration.

The autonomous administrations are also the source of part of the discriminations. In this regard, **the Pro-Language Platform finds the discrimination occurring in the healthcare area particularly worrying**, since we believe that maintaining relationships of mutual respect between healthcare staff and patients is a priority, since actions in healthcare centres is a cornerstone of people's physical and mental well-being, and undergoing discrimination or harassment by one of both parties contributes to worsening a situation which in itself is undesirable, namely being ill or having some kind of disease. Improving the presence of Catalan in the healthcare area is one of the recommendations of the Committee of Ministers of the Council of Europe for the fulfilment of the European Charter for Regional or Minority Languages by Spain.

This study makes it possible to expose other situations that may become very unpleasant. the four cases of discrimination gathered occurred in the sphere of non-compulsory education and involve a high degree of discrimination and harassment. **This pro-Catalan NGO opines that the two cases of harassment that occurred in Camp de Tarragona in the courses funded and regulated by the Department of Enterprise and Employment embody this discriminatory attitude in the institutions. In an area where the use of Catalan is often ignored, the Spanish institutions' has merely been concerned about preventing the Catalan administration from ensuring that training actions are conducted in Catalan and that the training materials at**

**least are in Catalan.** This is borne out by the recent ruling of the TSJC (of June 30, 2015), issued following an appeal by the Spanish Government against an announcement of training actions regulated by Order EMO/286/2012, of September 21.

**The Pro-Language Platform wishes to emphasise that besides these discriminations that infringe Spanish law, there are many more that are promoted by Spanish legal provisions. It should also be mentioned not only do the different Spanish governments fail to repeal laws that discriminate against Catalan in favour Spanish but actually enact new ones every year. Many companies and citizens suffer such discrimination through the enforcement of Spanish laws,** such as Law 17/2001 on trademarks, that requires companies to submit all the necessary documentation to process a trademark in Spanish, and which, since 2015, has jeopardised at least two Catalan companies that have wasted time and money because their attempt to register a trademark was rejected for having used Catalan in a large part of the documentation.

**The Pro-Language Platform wants this report to become a useful tool in creating awareness, disseminating and investigating a lack of democracy that affects the life of 14 million European citizens.** We will never cease to denounce a situation we regard as unacceptable: 40 years after the fall of the dictatorship, and with the arrival of a supposedly democratic stage in Spain, certain rights of citizens, such as using their own language, continue to be systematically violated; similarly, the central and autonomous governments fail to take the necessary measures to curb such racism-fuelled attitudes towards part of the citizenry, attitudes that diminish people's quality of life and undermine the democratic values to which every society should aspire.