



12.3.2024

COMPROMISE AMENDMENTS

1 - 2

Draft mission report

following the the fact-finding visit to Catalonia (Spain) from 18 to 20 December 2023 with the aim of assessing in situ the language immersion model in Catalonia, its impact on families moving to and residing in the region as well as on multilingualism and non-discrimination the principle of the Rule of Law, based on petitions n°0858/2017, 0650/2022 and 0826/2022 (PE758.186v01–00)

Members of the mission:

Jana Toom	(Renew) (Leader of the mission)
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Dolors Montserrat	(PPE)
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AM_CR_PETI

Draft mission report – recommendation 1 - 5

Compromise amendment replacing Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 338, 373 and 400

Draft mission report

Amendment

1. ***Recalls*** that, the objective of the mission was to assess in situ the language immersion model in Catalonia, its impact on families moving to and residing in the region as well as on multilingualism, non-discrimination and compliance with international and EU law;

2. Recalls that the right to ***receive teaching*** in Spanish ***is*** enshrined in the Spanish Constitution in its Article 3, which establishes the official status of Castilian in all Spain and, the possibility for the Autonomous Communities to establish other languages as official within their territory; considers that the education system in Catalonia should give equal treatment to both Spanish and Catalan as language of education and that the education system must take the necessary measures to compensate the deficiencies in any of the languages as stated by the Spanish organic law on education (Articles 79 and 121);

1. ***Underlines*** that, the objective of the mission was to assess in situ the language immersion model in Catalonia, its impact on families moving to and residing in the region as well as on multilingualism, non-discrimination and compliance with international and EU law;

2. Recalls that the ***duty to know Spanish and the right to use Spanish are*** enshrined in the Spanish Constitution in its Article 3, which establishes the official status of Castilian in all Spain and the possibility for the Autonomous Communities to establish other languages as official within their territory; ***recalls that the Statute of Catalonia used this possibility to establishes Catalan as co-official within its territory***; considers that the education system in Catalonia should give equal treatment to both Spanish and Catalan as language of education ***in curricular or teaching hours*** and that the education system must take the necessary measures to compensate the deficiencies in any of the

3. Recalls that respect for linguistic and cultural diversity is one of the cornerstones of the EU enshrined in Article 3 of the Treaty on European Union and any discrimination based on language is explicitly prohibited under Article 21 of the Charter of Fundamental Rights of the European Union; calls on the competent regional and national authorities to ensure that children are not being discriminated against;

4. Believes that the education system should take into account the best interests of the child in language policies and develop tailor made solutions whenever *is* possible to address any deficiencies in the learning path of children;

5. **Believes** that Education authorities should ensure that pupils with special needs are able to study in their mother tongue, when such language is an official language, if their families so wish, in accordance with the Council's recommendations on mother-tongue education and the integration of children with disabilities into education systems;

languages as stated by the Spanish organic law on education (Articles 79 and 121) ***but in no case can these measures imply the exclusion of any of the official languages as a vehicular language; considers that teaching non-core subjects such as physical education or extracurricular activities cannot be equated or computed in identical terms to the teaching of core subjects such as mathematics or history; considers that schools in Catalonia should provide students with adequate opportunities to acquire a high level of knowledge of both Catalan and Spanish and to acquire the language skills necessary to have full access to all employment, social and cultural opportunities;***

3. Recalls that respect for linguistic and cultural diversity is one of the cornerstones of the EU enshrined in Article 3 of the Treaty on European Union and any discrimination based on language is explicitly prohibited under Article 21 of the Charter of Fundamental Rights of the European Union; calls on the competent regional and national authorities to ensure that children are not being discriminated against ***on any grounds, including on the grounds of being Spanish-speaking; considers it essential to ensure equal opportunities and inclusiveness in learning for all students ;***

3a. Points out that linguistic rights must be respected in communities where there is more than one official language, without limiting the rights of one group compared with another, in line with the constitutional order of each Member State and its national law¹; in this regard, calls on the competent regional and national authorities to ensure that the promotion of regional languages and the protection of linguistic communities respect the

¹ Minority Safepack, approved in December 2019 by the EP:
https://www.europarl.europa.eu/doceo/document/TA-9-2020-0370_EN.html .

fundamental rights of all individuals.

4. Highlights that learning needs have their own specificities, varying from one educational reality to another, and that this cannot in any case justify the exclusion of learning in one of the languages (34); Believes that the education system should take into account the best interests of the child in language policies and develop tailor made solutions whenever possible to address any deficiencies in the learning path of children and economic vulnerabilities experienced by students and their families ;

5. Is concerned that the language immersion model in Catalonia generates serious dysfunctions for pupils with special needs whose mother tongue is Spanish; recalls that Education authorities should ensure that pupils with special needs are able to study in their mother tongue, when such language is an official language, if their families so wish, in accordance with the Council's recommendations on mother-tongue education and the integration of children with disabilities into education systems and with the resolution adopted by the European Parliament on the Situation of Fundamental Rights in the European Union: Annual Report for the years 2018 and 2019²;

Or. en

Compromise amendment 2
Jana Toom

Draft mission report – recommendation 6 - 15

Compromise amendment replacing Amendment 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 339, 340, 341, 342, 343, 344, 345, 346, 347, 349, 350, 351, 352, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 365, 366, 367, 368, 369, 370, 371,

² https://www.europarl.europa.eu/doceo/document/TA-9-2020-0328_EN.html

372, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414 and 415

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6. Requests that the Commission reports on the latest developments with regard to the petitions 0858/2017, 0650/2022 and 0826/2022 concerning the respect to language regimes and the organisation of educational system in Catalonia;

7. Requests that the Commission closely monitor the way EU Article 165 of the Treaty on the Functioning of the European Union is applied in Catalonia, especially in relation with the regional authorities' respect for cultural and linguistic diversity, and to take these results into consideration in its next report on the rule of law; further calls on the Commission to establish a dialogue with the Member State and offer technical assistance to address fundamental rights issues;

8. Requests the regional authorities to adopt the appropriate legal or administrative measures to ensure that communication) from the educational public administration, including schools, to students and families are done in both Spanish and Catalan, ex officio, without the need for student or families to request it individually ;

9. Requests that the Spanish national and regional authorities closely monitor if, in the organisation of education systems in Catalonia, a balanced content of teaching languages is respected and an equal treatment to co-official languages is given, and if the education objectives in both co-official languages are achieved ;

10. Suggests the Spanish national authorities to review the way the National High Education Inspection Authority monitors in Catalonia the minimum

Amendment

6. Requests that the Commission reports on the latest developments with regard to the petitions 0858/2017, 0650/2022 and 0826/2022 concerning the respect to language regimes and the organisation of educational system in Catalonia;

6a. Condemns the fact that the language regime in Catalonia effectively restricts freedom of movement, as it prevents families moving to Catalonia from studying in the official Spanish language, affecting their rights and restricting their job-seeking options within their own country and thus within the EU ; strongly believes that the free movement of workers within the European Union as provided for in Article 45 of the Charter of Fundamental Rights of the European Union must be guaranteed ;

7. Requests that the Commission closely monitor the way EU Article 165 of the Treaty on the Functioning of the European Union is applied in Catalonia, especially in relation with the regional authorities' respect for cultural and linguistic diversity, and to take these results into consideration in its next report on the rule of law; further calls on the Commission to establish a dialogue with the Member State and offer technical assistance to address fundamental rights issues ***and to take action to ensure that Spain enforces the rights of Spanish-speaking children in bilingual communities ;***

7a. Requests regional and national authorities to collaborate in putting an end to the violation of fundamental rights of parents, children, and families and safeguarding them as outlined in Article

standards for a balanced content of teaching languages;

11. Recommends that, *in order to avoid political tensions and controversies*, a independent in-depth analysis of the equal treatment of the co-officials languages in education, carried out by independent experts, with the aim of providing recommendations to lawmakers and stakeholders on how to establish a balanced content of teaching languages ;

12. Suggests the Regional Government of Catalonia to improve communication and trust with the aim of building a constructive dialogue with the families affected;

13. Observes that the ruling of 16 December 2020, established by High Court of Justice of Catalonia about obligation to guarantee 25% of teaching in Spanish in the Catalan education system, is not currently applied by the Regional Administration; recalls that the respect *of* the rule of law is one of the cornerstones of the EU; is concerned by the fact, that citizens due to the lack of action to implement this judicial ruling, have to seek for judicial redress for their own case individually;

14. Is concerned about exclusion, controversies and reactions in the public that this issue is provoking in the Catalan society including cases of social exclusion, intimidation and bullying against children and parents; condemns any form of hate speech; requests the Regional Authorities to closely monitor this unacceptable behaviour;

15. Recommends sending this report and its recommendations to the Regional Government of Catalonia, Spanish national authorities, to the High Court of Justice of Catalonia and to the Spanish Constitutional Court while waiting for the ruling.

21 of the European Charter of Fundamental Rights;

8. Requests the regional authorities to adopt the appropriate legal or administrative measures to ensure that communication *and websites* from the educational public administration, including schools, to students and families are done in both Spanish and Catalan, ex officio, without the need for student or families to request it individually;

9. Requests that the Spanish national and regional authorities closely monitor if, in the organisation of education systems in Catalonia, a balanced content of teaching languages is respected and an equal treatment to co-officials languages is given, and if the education objectives in both co-official languages are achieved **(98)**;

10. Suggests the Spanish national authorities to review the way the National High Education Inspection Authority monitors in Catalonia the minimum standards for a balanced content of teaching languages;

11. Recommends that a *quantitative and qualitative* independent in-depth analysis *that evaluates the language immersion model in Catalan schools* of the equal treatment of the co-officials languages in education, carried out by independent experts, with the aim of providing recommendations to lawmakers and stakeholders on how to establish a balanced content of teaching languages ;

12. Suggests the Regional Government of Catalonia to improve communication and trust with the aim of building a constructive dialogue with the families affected;

13. Observes that the ruling of 16 December 2020, established by High Court of Justice of Catalonia about obligation to guarantee 25% of teaching in Spanish in the Catalan

education system, is not currently applied by the Regional Administration; recalls that the respect *for* the rule of law is one of the cornerstones of the EU *and is enshrined in Article 2 of the Treaty on the European Union*; *considers that non-compliance with judicial decisions by the Spanish and Catalan public administration is in breach of this fundamental principle* ; is concerned by the fact, that citizens due to the lack of action to implement this judicial ruling, have to seek for judicial redress for their own case individually; *calls on the Catalanian authorities not to hinder the execution of this ruling* ;

14. Is concerned about exclusion, controversies and reactions in the public that this issue is provoking in the Catalan society including cases of social exclusion, intimidation and bullying against children and parents; condemns any form of hate speech; requests the Regional Authorities to closely monitor this unacceptable behaviour *and to sanction any perpetrators* ; *requests the regional and national authorities to establish a defence and protection protocol for those at risk, including families that turn to the judiciary system to enforce the ruling of 16 December 2020* ;

15. Recommends sending this report and its recommendations to the Regional Government of Catalonia, Spanish national authorities, *including the Ministry of Education, the Spanish Ombudsman, the Catalan Ombudsman* to the High Court of Justice of Catalonia and to the Spanish Constitutional Court while waiting for the ruling ; *also recommends that this report be sent to the LIBE committee's Rule of Law and Fundamental Rights Monitoring Group* ;

14b. Requests to keep open petitions No. 0858/2017, 0650/2022, and 0826/2022 regarding respect for language regimes and the organization of the educational system in Catalonia.

