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LIMITE

PE-QE 134

REPLY TO PARLIAMENTARY QUESTION

From: Working Party on General Affairs

To: Permanent Representatives Committee/Council

Subject: DRAFT REPLY TO QUESTION FOR WRITTEN ANSWER

E-003095/2022 - Francesca Donato (NI)

'English's status as an official language despite not having been requested
by a Member State'

1. Delegations will find attached:
 - the text of the above question for written answer;
 - a draft reply prepared by the Working Party on General Affairs at its meeting on 9 December 2022.

2. This draft reply is submitted to the Permanent Representatives Committee (Part 1) and to the Council for approval.

**Question for written answer E-003095/2022
to the Council**

Rule 138

Francesca Donato (NI)

Subject: English's status as an official language despite not having been requested by a Member State

Article 8 of Regulation 1/1958 states that 'if a Member State has more than one official language, the language to be used shall, at the request of such State, be governed by the general rules of its law'¹. However, neither Ireland nor Malta have made a request for English to be used and the Council cannot arbitrarily grant itself the right to make such a decision as a way of justifying the continued use of that language when the only State that requested it has left the EU.

After Slovak², English – a language originally imposed on the Irish and Maltese by British colonisers – is now the EU's 17th language, with around 5 million speakers. Yet, despite the many rules in place to maintain multilingualism and prevent language discrimination³, the Council, contrary to any principle of democracy, uses it almost exclusively in communication, contrary to the law and against the interests of the 445 million non-native English-speaking EU citizens.

In view of this, can the Council say:

1. When it will implement the requirements of Regulation 1/1958 and Article 8 in particular? If has no plans to do so, can it explain why given that the reasons provided to date have no legal basis?
2. When will it implement multilingualism by communicating with citizens democratically, i.e. in proportion to the number of native speakers in each EU population?

¹ https://www.europarl.europa.eu/doceo/document/E-9-2019-004478-ASW_EN.pdf

² In order: 1 German 92 898 566; 2 French 65 255 278; 3 Italian 60 480 665; 4 Spanish 46 776 338; 5 Polish 37 857 352; 6 Romanian 19 238 034; 7 Dutch 17 131 014; 8 Czech 10 710 432; 9 Greek 10 429 737; 10 Portuguese 10 199 257; 11 Swedish 10 095 005; 12 Hungarian 9 664 187; 13 Bulgarian 6 954 100; 14 Danish 5 789 709; 15 Finnish 5 540 792; 16 Slovakian 5 460 615; 17 English (Ireland and Malta) 5 382 028; 18 Irish 4 940 642; 19 Croatian 4 106 953; 20 Slovenian 2 079 390; 21 Lithuanian 1 963 870; 22 Latvian 1 887 408; 23 Estonian 1 328 108; 24 Maltese 441 386.

³ Respect for linguistic and cultural diversity is one of the pillars of the EU enshrined in Article 3 of the Treaty on European Union, just as discrimination on linguistic grounds is explicitly prohibited under Article 21 of the EU's Charter of Fundamental Rights.

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Reply

Following the withdrawal of the United Kingdom from the European Union, the English language remains the official language of two Member States, i.e. Ireland and Malta. Article 8 of the Irish Constitution provides that Irish is the first official language of Ireland and that English is recognised as a second official language. Article 5(2) of the Maltese Constitution provides that Maltese and English are official languages of Malta.

Under Article 342 of the Treaty on the Functioning of the European Union (TFEU), the rules governing the languages of the institutions of the Union shall be determined by the Council, acting unanimously by means of regulations.

Regulation No 1 of 15 April 1958 determining the languages to be used by the European Union lists 24 official languages, among them the English language. It follows from the sole recital of the preamble to Regulation No 1 that the official and working languages of the institutions of the Union are chosen because the languages in which the Treaty is drawn up, including English, are recognised as official languages in one or more Member States of the Union.

Given that the English language is still an official language in at least two Member States, it remains a working language of the institutions of the Union.

As to your point on communication with citizens, kindly note that in addition to other specific arrangements that may apply, in accordance with Article 24(4) TFEU, every citizen of the Union may write to any of the Union institutions or bodies in one of the official languages of the Union and receive an answer in the same language.