



English Translation

**The President of the European Commission
Ms Wallström, Commissioner for Justice,
Fundamental rights and Citizenship
General Secretariat
B-1049 Brussels
BELGIUM**

"A country must be judged on how it treats its minorities."

M.K. Gandhi

Mister President.
Madam Vice President,

France has signed and ratified the European Union's Treaty of Lisbon.

The Breton Organizations/Institutions, signatories of the present mail and attached file have the honor of seeking from the Commission the implementation against the French State of the procedure planned by the article 7 of the Treaty of the European Union, or that foreseen in the article 258 of the Treaty on the functioning of the European Union.

- ~ Article 7 of the Treaty on European Union enables to notice the existence of serious and persistent breaches of the principles set out in article 2 of the Treaty of the European Union.
- ~ Article 258 of the Treaty on the functioning allows the Commission to detect a fault of any of its Members to comply with its obligations and seize the European Court of Justice after having Allowed that State to submit its observations.

The Article 2 of the Treaty on European Union proclaims:

"The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail."

According to article 3 of the same treaty:

" The Union has to promote peace, its values and the well-being of its peoples '...
" It shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced."

France doesn't meet the membership criteria for the European Union.

It is constant that France is to date, with Greece, the only Member State of the Union that does not meet the **Criteria of Copenhagen**, by its refusal to ensure respect and protection of minorities and the rights of persons belonging to a minority, which is one of the conditions for accession to the European Union.

Moreover, France is characterized by being the only Member State of the European Union to have neither signed nor ratified the Framework Convention for the protection of national minorities.



Even more, while on May 7th, 1999, France had signed the European Charter for regional or minority languages, which aim is not to recognize minorities but to protect and promote regional or minority languages, it has not ratified it, because, according to the Constitutional Council, this Charter would **"confer specific rights to "groups of regional or minority language speakers"** and thus could be a threat to **" the constitutional principles of indivisibility of the Republic, equality before the law and the uniqueness of the French people "**.

Yet, many candidate States had to comply with these conditions, mostly by ratifying European standards contained in the above recalled texts. From now on, the rights of minorities in Europe must be understood as to be in accordance with the principles and values contained in these texts and even to be respected by States which have not ratified them.

More generally, the rights of minorities as well as the cultural rights of individuals are ranking first of human rights because they are directly based on the respect for human equality and dignity (art.1. Universal Declaration of Human rights). This lawful and political belief has led to the adoption of numerous conventional or declaratory texts to protect these rights, both on the European and the universal levels.

Minority rights are thus a part of the indivisible corpus of human rights, on which the European Union, by virtue of the art. 6 §1 of the Treaty, is based. Recently, the European Parliament reminded it with strength: **"The rights of minorities are an integral part of the fundamental human rights"** (resolution, June 8th, 2005).

The Commission shares this point of view, since it explicitly admitted that: **" the rights of persons belonging to minorities are part of the common principles of the Member States**, as listed in the article 6 §1 of the Treaty on European Union " (Response to a written question E-1227/02, June 19th, 2002).

The good faith implementation of the Lisbon Treaty, enforced since December 1st, 2009, must lead France to recognize the existence of its own national minorities, to protect and promote them.

The Breton people, a European national minority

The Bretons residing on the territory of the Breton five Departments can today comply with the definition of a national minority adopted by the Council of Europe and the European Parliament : French citizens that always expressed a will to maintain their original culture and specific languages - Breton (Brezhoneg) since long, and gallo more recently - as well as a territory which, during ten centuries until the French Revolution, was independent and autonomous inside the same external borders. They then obtained that the new organization stemming from the Revolution respects the borders of the former State then the Province of Brittany that was divided into five departments, until a 1941 decree of the Vichy government excluded the Departement of Loire-Atlantique (then called the Loire-Inferieure) from the Region of Brittany.

But, following numerous demonstrations and protest movements, a Cultural Charter of Brittany, was granted in 1978. The signatories were the State, the Regional Council of Brittany (at the time called Regional Public Institution of Brittany, and the five Breton Departments of Côtes-du-Nord, Finistère, Ille-et-Vilaine, Loire-Atlantique and Morbihan.

The Cultural Council of Brittany, which was created accordingly, included the five Breton departments, as well as the cities of Loire-Atlantique of Nantes, the chief town of Loire-Atlantique, and Saint-Nazaire, and also the representatives of the University of Nantes. In its preamble, the Cultural Charter stated this was



"an act of recognition of the Breton cultural personality and a commitment to guarantee its free self fulfillment and blooming".

The preservation of the popular culture (music, songs, dances, theater, cultural events, sports languages, etc...) was and remains based on a dense associative and social network, as well as original economic bases and a feeling of togetherness and solidarity. This was shown by numerous researches, surveys, opinion polls (such as the enquiry made by the European Science Foundation in 2008).

Owing to their history, their culture, their language, their geographical situation, The Bretons are clearly animated towards developing a common specific solidarity project on their territory.

So, for the Breton people, the refusal to guarantee the rights of the persons belonging to minorities expresses a denial of recognition. Its own juridical and legal non-existence has daily implications making impossible the preservation of its culture. This unfavourable context even places the Bretons in the impossibility to ascertain and defend their most elementary dignity.

Recently, the French justice dismissed an action against a third party for incitement to racial hatred towards Breton people, for the simple reason that the Breton people doesn't exist as such in French law! (*annexed : the rejection of a claim by made the Breton Collective for Democracy and Human rights*).

Non-existent rights.

Especially, the obstinacy of the French State to escape its obligations for the international protection of these fundamental rights reveals the real nature of its legal order marked by blatant infringements on the cultural rights of the individuals, that are also grave and persistent violations to respect the human rights, and that we beg you to notice.

We have summarized them below.

1. The interpretation given by the French Constitutional Council of the Article 1 and the article 2 of the Constitution releasing a "principle of uniqueness" of the French people, goes as far as to exclude from the Republic the languages of Brittany, Breton and Gallo, despite the wish regularly expressed by the Bretons (through polls, surveys, petitions, demonstrations, etc) and by their elected representatives in the various Institutions to ensure their protection. For example, on December 19th, 2004, the Regional Council of Brittany has formally and unanimously recognized Breton and Gallo beside French, as being the languages of Brittany. This policy develops a prejudice when people feel that their natural sense of belonging is denied or even fought against.

3. A consequence of the denial of recognition of the Breton people and their languages is also the refusal to allow the Breton culture, and in a wider way its economic, social, cultural and political life, a decent public expression. To date, no specific Breton television or radio is authorized to broadcast on the whole historic territory of Brittany. The denial of official recognition of the Breton language goes as far as depriving the Bretons of the assistance that the European Union could grant for the «literary translation " in Breton of European works while the Basque, the Catalan or the Welsh languages, also recognized in their States, enjoy that benefit

(Annex : Ms Vassiliou's answer, European Commissioner to Education and Culture, to M. François Alfonsi, Member of the European Parliament, on February 26th, 2010).

4. Finally, the history of Brittany and Breton people delivered by the National Education system is blurred. The official reconstructed history is deprived of all which could feed a feeling of Breton membership. The memory of a people is set to disappear gradually.



A legal order unchanged.

It is relevant to note that, since a reform of July, 2008, a reference in the French Constitution has been added, stating the existence of regional languages in France as being “part of the national heritage”. This does not, in reality, alter the treatment reserved for these languages and their speakers. This was made very clear during the parliamentary debates. Indeed, it is done in such an ambiguous manner that it seems to leave the State the free management of this “linguistic heritage”. It carries no commitment in their favor. It takes place in a legal order that is not going to be changed; it is moreover followed by no legal enforcement.

Free from any concrete effect, it becomes integrated to the line, the specific conception of the French right of equality before the law and uniqueness of the people. Accordingly, it must be understood as a pure discourse or speech, a media product, aiming to give out a free of charge response to international critics made to the French authorities, particularly by the Committee on economic, social and cultural rights of the United Nations (annex: review of reports made by France to the Committee at the sessions 2001 through 2008 regarding its refusal to recognize the rights of the minorities.)

Legal protection of citizens within variable geometry

Aware that the European Union cannot be a non-law, or still worse, a set where the legal protection of citizens would be variable, depending on whether a State is recently integrated, or a “founding State”, even if the latter can boast of bearing the title of “The country of human rights”.

Convinced that human rights are by nature universal, indivisible, of irreducible nature, and that their benefits must be fully granted to persons belonging to minorities,

Hoping for a uniform legal application of the founding principles of the Union, that cannot be assessed differently depending on the nationality of persons,

Confident that the “**space of freedom, security and justice**” which the Union offers, is for all Europeans the place *par excellence* where the collective guarantee of human rights can and must be organized,

The signatory organizations, conscious of being a legitimate and justifiable expression of the Breton personality since they were recognized by the Cultural Charter of Brittany of 1978, ask you to either implement the procedure planned by the article 7 of the Treaty of the Union and seize the Council to establish the existence of serious and persistent violations of the fundamental values of the European Union,

or implement the procedure planned by the article 258 of the Treaty on the functioning of the Union, i.e. notice the fault to fulfil the obligations contacted by France by virtue of the treaties.

A copy of the present file is passed on to the European Parliament and to all the Member States of the Union in the hope which they could express their support, possibly co-introduce the procedures above.

List of the signatory organizations, principals, qualities:

The Breton Collective for Democracy and Human rights

Collectif Breton pour la Démocratie et les Droits de l'homme
Galv Karaez evit an Demokratelezh ha Gwirioù mab-den

The President, Ms Angèle JACQ

Kevre Breizh
Coordination Associative de Bretagne



Institut Culturel de Bretagne
Skol-Uhel ar Vro

The Cultural Institute of Brittany/
Institut Culturel de Bretagne/ Skol Uhel Ar Vro/

The President, M. Bernard DELHAYE

The Cultural Associational Cultural Coordination of Brittany,
Coordination Associative Culturelle de Bretagne, Kevre Breizh,

The Président, Tangi LOUARN

Reunited Brittany / Bretagne Réunie

The President, Paul LORET