European Parliament

The European Union's approach to multilingualism in its own communications policy

Culture and Education

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The European Union's approach to multilingualism in its own communications policy

Abstract

This study assesses the EU's approach to multilingualism in its communications policy. An innovative mixed methods approach is used to investigate compliance with multilingualism obligations and the language regimes and practices of EU institutions, bodies and agencies, especially on EU websites. The fit with the linguistic skills of EU27 residents is also investigated. Policy recommendations are provided to enhance the transparency and accessibility of EU communication policy taking account of feasibility constraints.

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LIST OF ABBREVIATIONS

ACER	European Union Agency for the Cooperation of Energy Regulators
AES	Adult Education Survey (Eurostat, 2016)
Cedefop	European Centre for the Development of Vocational Training
CEPOL	European Union Agency for Law Enforcement Training
Charter	Charter of Fundamental Rights of the European Union
CJEU	Court of Justice of the European Union
CoR	European Committee of the Regions
CULT Committee	European Parliament's Committee on Culture and Education
DGT	Directorate-General for Translation
EBA	European Banking Authority
ECA	European Court of Auditors
ECB	European Central Bank
ECHA	European Chemicals Agency
ECR	European Court Reports
EDA	European Defence Agency
EEA	European Environment Agency
EESC	European Economic and Social Committee
EFSA	European Food Safety Authority
EIB	European Investment Bank
EIOPA	European Insurance and Occupational Pensions Authority
ELRC	European Language Resource Coordination
EMA	European Medicines Agency
ENISA	European Union Agency for Cybersecurity
EP	European Parliament
EUIPO	European Union Intellectual Property Office
eu-LISA	European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice
EU-OSHA	European Agency for Safety and Health at Work
Eurofound	European Foundation for the Improvement of Living and Working Conditions
Eurojust	European Union Agency for Criminal Justice Cooperation
Europol	European Union Agency for Law Enforcement Cooperation
FRA	European Union Agency for Fundamental Rights
MT	Machine Translation
NMT	Neural Machine Translation
OJ	Official Journal of the European Union
Regulation No 1	Council Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community
SRB	Single Resolution Board
Staff Regulations	Staff Regulations of Officials of the European Union
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union

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EXECUTIVE SUMMARY

This study assesses the EU's approach to multilingualism in its communications policy. A mixed methods approach is employed, including literature review, legal and policy analysis, quantitative analysis of EU websites, interviews with EU experts and survey data analysis.

Key findings

EU institutions, bodies and agencies comply formally with EU multilingualism obligations. This is facilitated by flexibility in the regulatory obligations and the absence of a comprehensive framework that ensures common standards fit for the digital era, especially in terms of EU websites.

Regulation No 1 is the legal cornerstone of EU multilingualism obligations. It sets out the rules determining the languages to be used by EU institutions, bodies and agencies and provides flexibility for EU entities to decide which languages are to be used in specific cases e.g. in working documents or internal meetings with experts. Multilingual digital communication is not addressed in Regulation No 1 or Court of Justice of the European Union (CJEU) case law to date. Consequently, much content published online is not translated because it is viewed as a by-product of internal communication. This means that published documents that can affect citizens, businesses and Member States may not always be available in their language.

This study argues, based on legal reasoning, that **multilingualism obligations should apply to specific types of website content.** To this end, a multilingual needs typology is proposed to clarify the types of content that should be prioritised for translation. This is based on a ranking classification of: (a) *core documents* that are legally obliged to be available or submitted in all EU languages; (b) *primary documents* that should be available in all EU official languages due to their substantive content and potential impact on the rights and obligations of citizens, businesses and public authorities, e.g. State aid guidance, EU funding programmes or calls for tender; and (c) *secondary documents* that are a lower order priority for multilingual needs and accessibility, and where machine translation could be used if resources are unavailable for human translation.

The study reveals significant variations in the availability of multilingual content that ought to be available in all official languages. This is the result of an assessment of multilingual scores based on the application of the multilingual needs typology to the websites of EU institutions. The European Commission and the European Central Bank websites do not perform well in the publication of sections with "mostly core" and "mostly primary" content that should be available in all EU languages. By contrast, the performance of the websites of the European Council/Council of the European Union, the CJEU and the European Court of Auditors is very good. The European Parliament also has a relatively high score.

Another important conclusion is that **the language regimes of EU institutions, bodies and agencies are not sufficiently transparent and formalised.** The regimes are sometimes not specified or are often unclear. Similarly, most EU institutions and bodies have published a website language policy, but most agencies have not done so. This is inconsistent with European Ombudsman recommendations calling for the policy on the use of official EU languages to be clearly defined and published.

The wide range of language regimes, practices and website language policies are not systematically monitored and reviewed by the EU. This is detrimental for transparency and accountability as well as hampering a more formalised approach to multilingual communication with common standards.

The variability in the provision of multilingual content across and within EU websites implies that this communication channel does not always suit the needs of all target audiences. The analysis of the 13 EU websites with the most multilingual content showed that some performed well in terms of a multi-lingo index that takes account of the different content sections of a website, while others performed more poorly. The highest multilingual ratings were for six sites with scores well above the mean of the 13 websites (Court of Justice of the European Union, Council of the European Union/European Council (shared website), European Court of Auditors, European Parliament, European Agency for Safety and Health at Work and the European Ombudsman). A second cluster of websites have a mid-range performance and include the European Commission (closest to the mean of EU websites), and the European Chemicals Agency and the European Committee of the Regions (both with lower scores). The last cluster encompasses four websites that perform poorly and have low availability of multilingual content (European Central Bank, European Economic and Social Committee, European Food Safety Authority, European Union Agency for Fundamental Rights). Furthermore, most EU agency websites (which were assessed in addition to the above in a qualitative way) do not publish content in all official languages and are effectively monolingual in English.

An alternative multilingual index that only looks at the total volume of webpages, without taking account of differences across the content categories, increases the performance of two of the websites marginally (the European Parliament and the European Union Agency for Fundamental Rights) but reduces the performance of the majority of websites, very dramatically in some cases such as the European Ombudsman.

Where only English is used, the accessibility to EU-published content is low. Analysis of Eurostat's Adult Education Survey (2016) shows that around one-third of EU residents aged 25-64 speak only their native tongue(s). There is no common language in the EU spoken at a very good level (i.e. as native speaker or as a foreign language at a proficient level) by a majority of the population. About 20% of EU adult residents are able to communicate at a very good level in German, followed by French (about 16%), Italian (14%), and English (13%). If a document is published in English only, a share of 13-45% of the EU adult population are able to understand it (the range depending on the indicator used to measure language proficiency). This share increases to 43-65% in a trilingual communication policy (using English, French and German). A fully multilingual communication policy ensures accessibility to content by 97-99% of EU adult residents.

The lack of attention to the importance of multilingualism in communication policy can potentially fuel perceptions of the EU being distant and disconnected from citizens given the current distribution of language skills in the population. EU language regimes are the result of a balancing act between various interests including significant resource constraints. This presents a policy and operational challenge for the EU institutions. Although not free from a resourcing perspective, a multilingual regime is the most effective and accessible communication policy, considering the current distribution of language skills of EU residents.

Recommendations

Based on the findings of this study, the following recommendations are proposed.

- **Recommendation 1: Develop a common and transparent framework and standards for multilingual communication including in the digital sphere.** If there is no political appetite for a reform of Regulation No 1, the European Parliament could promote the establishment of a formal common framework and standards via an inter-institutional agreement. EU communication via the

internet should be subject to multilingualism obligations not only regarding the content defined in this study as "core" but also for "primary" content.

- **Recommendation 2: Institutionalise regular monitoring of legal compliance, administrative transparency and use of resources to ensure multilingual communication through a Periodic Report.**

- **Recommendation 3: Establish an Officer of Multilingualism to review practices, language regimes and website language policies.** The Officer should be responsible for the periodic monitoring report and be accountable to the European Parliament.

- **Recommendation 4: Promote the use of official languages in digital communication in order to improve accessibility and closeness to citizens.**

- **Recommendation 5: Increase the EU budget allocations for multilingualism.** This will help to counter the cuts to translation and interpretation services witnessed in recent years.

1 INTRODUCTION

The European Union (EU) is committed to linguistic diversity and promoting multilingualism. EU communication policy is crucial because it directly affects the relationships between the EU institutions, Member States and citizens. Multilingualism helps to bring the EU closer to citizens by facilitating understanding of EU institutions, respecting cultural diversity and contributing to transparency and accountability. It promotes a European public sphere and facilitates awareness and access to the opportunities arising from EU integration.

The key objective of this study is to **assess the EU's approach to multilingualism in its communications policy and to propose recommendations**. The specific objectives are:

1. To assess the **legal compliance and transparency of the language regimes** of EU institutions, bodies and agencies, as well as of their **website language policy.**
2. To undertake a **mapping analysis of the use of official EU languages** across EU communication channels, with a focus on websites.
3. To derive **policy lessons and recommendations** for EU policymakers.

Four sets of research questions are addressed in this study:

1. **Compliance:** Do EU institutions, bodies and agencies comply with Regulation No 1 and EU language law in general and what are the implications for their communication policy?
2. **Language regimes:** What are the features of the language regimes adopted and followed in practice? Are these regimes transparent and formalised?
3. **Linguistic practices:** Do linguistic practices in website language policy suit the needs of the target audiences? How could these organisations best adapt to the current linguistic contexts?
4. **Policy implications:** What recommendations can be drawn for EU policymakers?

A mixed methods approach is employed including literature review, legal and policy analysis, leading-edge data mining and quantitative techniques to analyse the multilingual attributes of EU websites, interviews with EU policy experts on translation and interpretation, and survey data analysis of the linguistic skills of EU residents.

This study is structured as follows.

- Chapter 2 presents the research methodology (see Annexes for technical details).
- Chapter 3 reviews the EU legal framework for multilingual communication, and addresses the question of legal compliance.
- Chapter 4 analyses the language regimes and website language policies of EU institutions, bodies and agencies, and it assesses their transparency.
- Chapter 5 reviews the legal 'grey area' of multilingual communication through websites and develops a multilingual needs typology.
- Chapter 6 maps the level of multilingualism on EU websites by computing multilingualism indices to compare linguistic diversity patterns.
- Chapter 7 explores the distribution of language skills of EU residents using survey data to assess whether EU communication policy is accessible.
- Chapter 8 presents conclusions and recommendations.

2 RESEARCH METHODOLOGY

This study has employed a mixed methods approach to address the research objectives including an innovative combination of qualitative and quantitative methods.

First, **literature review, legal and policy analysis** were undertaken to review the multilingual regulatory framework (Chapter 3), linguistic regimes and website language policies (Chapter 4), including academic and policy studies and other output relevant to the study such as language norms/regulations of EU institutions, bodies and agencies. This task also informed the development of a 'multilingual needs typology' (Chapter 5) and review of machine translation and proposals to improve multilingualism in the EU education system (Chapter 7).

Second, **quantitative data collection and analysis** involved the use of data mining and quantitative techniques to analyse the multilingual attributes of EU websites. The team assembled a large dataset of more than 1.5 million webpages across 13 EU websites. For the mapping analysis of websites (Chapter 6), the multilingual attributes were assessed by computing a 'multi-lingo index' that was applied to the content of EU websites/web sections and the multilingual needs typology developed in Chapter 5.

Third, **survey data analysis** was employed to assess the extent to which the EU language regime is accessible to EU citizens by calculating the share of the population who can understand EU documents for different combinations of languages used in the EU communication policy regimes, drawing on Eurostat's Adult Education Survey (Chapter 7).

Lastly, **interviews** were undertaken with 12 EU officials involved in language and communications policy in EU institutions, bodies and agencies. The focus was on multilingual communication topics relating to translation/interpretation capacity, recruitment, communication, use of digital tools, and transparency. The interviews fed into the analysis of linguistic regimes and practices (Chapter 4). A summary of the interviews is provided in Annex 3.

Further information on the methods is provided in each chapter, with technical details provided in the Annexes on EU websites (Annex 2) and on EU residents' language skills (Annex 4).

3 THE LEGAL FRAMEWORK

KEY FINDINGS

- A review of legal texts, the case law of the CJEU and relevant literature raises issues concerning the current application of principles linked with multilingualism rules, the definition of the "specific cases doctrine", transparency, recruitment of officials and contract staff, and the notion of (official) publication.

- Regulation No 1 is the cornerstone of language equality and restricted language arrangements for EU institutions. It sets out multilingualism obligations concerning direct communication between the institutions and the citizens, publications and legal rules of general application and specifies the condition of institutional linguistic autonomy.

- Regulation No 1 establishes a general language regime that applies to bodies and agencies, unless the founding Regulation provides expressly otherwise.

- A textual and teleological interpretation of Regulation No 1 shows that its main aim is to promote understanding via multilingualism and therefore the linguistic inclusion of audiences, while the exception is to choose which of the languages are to be used in "specific cases" only.

- Website communication and multilingualism have not been addressed by positive law and by the CJEU to date. However, the CJEU has adapted applicable EU law to the new reality of website communication, when the right to a court has to be protected.

3.1   Introduction

This chapter reviews **the legal framework for EU multilingual communication and more specifically for website communication**. We distinguish between: *primary law*, which includes the Treaties and the Charter of Fundamental Rights; and *secondary law* in terms of "Regulation No 1 determining the languages to be used by the European Economic Community", Statute of the CJEU, Rules of procedure of the Court of Justice and Rules of procedure of the General Court, and Staff Regulations of Officials of the EU (hereafter Staff Regulations). While the main source of EU multilingualism law applicable to the communications policy of EU institutions, bodies and agencies is Regulation No 1 and its interpretation by the CJEU, website communication has not been addressed by the CJEU to date.

3.2   Methodology

This chapter draws on legal sources (primary and secondary law, case law of the CJEU) and legal literature to provide a structured overview of the legal framework for multilingual communication and to better understand its application to website communication. Legal interpretation based on current positive law is also provided, particularly when the legal context is not stable or clear, or if there are gaps.

3.3   Primary law

Primary law encompasses both the Treaties - Treaty on European Union (TEU) and Treaty on the Functioning of the European Union (TFEU) - and the Charter of Fundamental Rights of the European Union (hereafter "the Charter").

Box 1: Legal provisions on multilingualism in the EU Treaties (TEU and TFEU)

- **Goals of the Union**

Article 3 TEU: "[The Union] shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced."

Article 165 (1) TFEU : "The Union shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organisation of education systems and their cultural and linguistic diversity."

Article 165 (2) TFEU: "Union action shall be aimed at [...] developing the European dimension in education, particularly through the teaching and dissemination of the languages of the Member States".

- **Equal authenticity of texts and list of Treaty languages**

Article 55 (1) TEU: "This Treaty, drawn up in a single original in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, the texts in each of these languages being equally authentic, shall be deposited in the archives of the Government of the Italian Republic, which will transmit a certified copy to each of the governments of the other signatory States".

Article 358 TFEU: "The provisions of article 55 [TEU] shall apply to this Treaty".

Article 55 (2) TEU: "This Treaty may also be translated into any other languages as determined by Member States among those which, in accordance with their constitutional order, enjoy official status in all or part of their territory. A certified copy of such translations shall be provided by the Member States concerned to be deposited in the archives of the Council."

Declaration n° 16 on Article 55(2) of the Treaty on European Union: "The Conference considers that the possibility of producing translations of the Treaties in the languages mentioned in Article 55(2) contributes to fulfilling the objective of respecting the Union's rich cultural and linguistic diversity as set forth in the fourth subparagraph of Article 3(3). In this context, the Conference confirms the attachment of the Union to the cultural diversity of Europe and the special attention it will continue to pay to these and other languages.

The Conference recommends that those Member States wishing to avail themselves of the possibility recognised in Article 55(2) communicate to the Council, within six months from the date of the signature of the Treaty of Lisbon, the language or languages into which translations of the Treaties will be made."

- **EU citizens' rights**

Article 20 (2) d) TFEU: "[Citizens of the Union shall have] the right to petition the European Parliament, to apply to the European Ombudsman, and to address the institutions and advisory bodies of the Union in any of the Treaty languages and to obtain a reply in the same language."

Article 24 TFEU: "Every citizen of the Union may write to any of the institutions or bodies referred to in this Article or in Article 13 of the Treaty on European Union in one of the languages mentioned in Article 55(1) of the Treaty on European Union and have an answer in the same language."

- **Language arrangements in secondary law**

Article 342 TFEU: "The rules governing the languages of the institutions of the Union shall, without prejudice to the provisions contained in the Statute of the Court of Justice of the European Union, be determined by the Council, acting unanimously by means of regulations."

Article 118 TFEU: "The Council, acting in accordance with a special legislative procedure, shall by means of regulations establish language arrangements for the European intellectual property rights. The Council shall act unanimously after consulting the European Parliament."

Article 207 (4) TFEU "The Council shall also act unanimously for the negotiation and conclusion of agreements: (a) in the field of trade in cultural and audiovisual services, where these agreements risk prejudicing the Union's cultural and linguistic diversity"

Source: own elaboration

Primary law provisions concerning multilingualism are very diverse. Article 55(1) TEU lists 24 languages in which the TEU is drawn up and shall be authentic. Article 55(2) and Declaration n°16 foresee the possibility to translate the Treaty into additional languages. As provided by article 358 TFEU, the TFEU is authentic in the same languages as the TEU, with the same implications. Article 165 (2) shows the importance given to teaching and dissemination of the languages of the Member States. Article 342 TFEU provides a legal basis for the Council to adopt the EU institutional language regime. EU citizenship provisions give unconditional rights to EU citizens, such as the rights to petition the European Parliament and to apply to the European Ombudsman in any Treaty language. Concerning the rights for citizens to communicate with the EU, Article 24 TFEU (and similarly Article 41(4) of the Charter) stipulates that they can only "write" to the EU institutions, the Ombudsman, the Economic and Social Committee and the Committee of the Regions. The scope of Article 20 TFEU is broader than Article 24 TFEU: citizens can "address", which means both written and oral communication, any of the institutions and advisory bodies including agencies.

The goal of respecting EU rich cultural and linguistic diversity (Article 3 TEU) is repeated in Article 22 of the Charter. **Respecting language diversity, when referred to in a secondary act, means that the EU shall not infringe existing language diversity when implementing a policy and that promoting multilingualism is one of the EU policies** (Article 167(1) TFEU). As such, this Article does not create any legal obligation, but like any objective of the Treaties, this Article can help to interpret the purpose of other provisions.

The **principle of non-discrimination based on language** (or the principle of language equality) is also protected by Article 21 of the Charter, which applies only if the EU law is applicable. The scope of the Charter is the scope of application of EU Law (CJEU, CJ judgment Åklagaren, 2013, par. 21).[1] It means that EU institutions and bodies must not violate this Article when exercising powers conferred under the Treaties. Under **the right to good administration**, "every person may write to the institutions of

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[1]   CJ judgment Åklagaren, C 617/10 [2013]. Available at:
https://curia.europa.eu/juris/document/document.jsf;jsessionid=9E6804D1FA607C57315C3FC586503F57?text=&docid=134202&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=7116443

the Union in one of the languages of the Treaties and must have an answer in the same language" (Article 41(4) of the Charter).

Box 2: Provisions on multilingualism in the Charter of Fundamental Rights of the EU

> - **Non-discrimination**
> Article 21 (1): "Any discrimination based on any ground such as […] language […] shall be prohibited".
> - **Cultural, religious and linguistic diversity**
> Article 22: The Union shall respect cultural, religious and linguistic diversity.
> - **Right to good administration**
> Article 41 (4): "Every person may write to the institutions of the Union in one of the languages of the Treaties and must have an answer in the same language".

Source: own elaboration

3.4 Secondary law

In secondary law, the Council regulated the language regime of the EU institutions in Council "Regulation No 1 determining the languages to be used by the European Economic Community", and provided for a derogation concerning the CJEU. The language regime of EU institutions and bodies also depends on the Regulation laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (hereafter Staff Regulations).[2]

3.4.1 Regulation No 1

Regulation No 1,[3] enacted in 1958 based on former article 217 TEEC (now 342 TFEU), was the reproduction of an intergovernmental decision adopted on 24 July 1952 after the entry into force of the Treaty establishing the European Coal and Steel Community. Regulation No 1 has been amended in the context of accessions in 1972, 1979, 1985, 1994, 2003, 2005 and 2013. It has also been amended by Regulation 920/2005[4] to provide the Irish language with the same status (with a derogation) as the official languages of the other Member States.

Regulation No 1 is the cornerstone of language equality and restricted language arrangements for each of the EU institutions, providing for what may be termed the Multilingualism Constitution of the EU. Formally, it is an act that can be amended by the Council unanimously. It is a concise regulation comprising just eight Articles (Box 3). The regulation does not include a preliminary presentation of the objectives and meaning of the text. It has never been the object of a global review/reform to consider the evolution of the context and needs of citizens.

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[2] Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ P 045 14.6.1962, p. 1385). Consolidated text available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01962R0031-20220101
[3] Regulation No 1 determining the languages to be used by the European Economic Community (OJ P 17, 6.10.1958, p. 385). Consolidated text available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01958R0001-20130701
[4] Council Regulation No 920/2005, 13 June 2005 (OJ L 156, 18.06.2005, p. 3). Available at: https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32005R0920

Box 3: Regulation No 1 (consolidated version of 2013)

Regulation No 1 determining the languages to be used by the European Economic Community

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to Article 217 of the Treaty which provides that the rules governing the languages of the institutions of the Community shall, without prejudice to the provisions contained in the rules of procedure of the Court of Justice, be determined by the Council, acting unanimously;

Whereas each of the four languages in which the Treaty is drafted is recognised as an official language in one or more of the Member States of the Community;

HAS ADOPTED THIS REGULATION:

Article 1: The official languages and the working languages of the institutions of the Union shall be Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish.

Article 2: Documents which a Member State or a person subject to the jurisdiction of a Member State sends to institutions of the Community may be drafted in any one of the official languages selected by the sender. The reply shall be drafted in the same language.

Article 3: Documents which an institution of the Community sends to a Member State or to a person subject to the jurisdiction of a Member State shall be drafted in the language of such State.

Article 4: Regulations and other documents of general application shall be drafted in the official languages.

Article 5: The Official Journal of the European Union shall be published in the official languages.

Article 6: The institutions of the Community may stipulate in their rules of procedure which of the languages are to be used in specific cases.

Article 7: The languages to be used in the proceedings of the Court of Justice shall be laid down in its rules of procedure.

Article 8: 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.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Source: Regulation No 1

Table 1 highlights the key rules under each Article, notable legal issues and provides cross references to relevant chapters and sections of this study containing further analysis.

Table 1: Appraisal of Articles in Regulation No 1

Articles	Key Rule	Initial assessment	Cross reference
Article 1	Formal equal status of the 24 official languages of the Union Reference to "working languages" and "official languages"	• The 24 official languages are the same as the 24 Treaty languages of Article 55 (1) TEU (van der Jeught, 2021) • Distinction "not very helpful" (van der Jeught, 2021); No definition of official language and working language	Discussion on this distinction and on working language in Chapter 5
Articles 2 and 3	Direct communication with the Member States and their citizens in their official language	• Citizen rights of Article 24(4) TFEU • No "general principle Union law that confers a right on every citizen to have a version of anything that might affect his interests drawn up in his language in all circumstances" (CJEU, C.Kik, C-361/01 P [2003] par. 82[5]) • It is for the applicant to ask for a translation if he/she does not understand the answer given by the Commission to his/her complaint (C-741/18 P - OPS Újpest v Commission, par. 16)[6]	3.4 Case Law Discussion in Chapter 5
Article 4	Regulations and other documents of general application shall be drafted in all official languages	• Irish derogation ended on 1 January 2022.[7] • Maltese derogation ended on 1 May 2007.[8] • An individual decision need not necessarily be drawn up in all the official languages, even though it may affect the rights of a citizen of the Union other than the person to whom it is addressed, for example a competing economic operator (CJEU, C.Kik, C-361/01 P [2003] par. 85) • Unclear status of soft law	3.4 Case Law Discussion in Chapter 5
Article 5	Publication of the OJ in the official languages	• Irish and Maltese former derogations: see above, article 4. • Unclear status of soft law and of the distinction between part L and C	3.4 Case Law Discussion in Chapter 5

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[5] CJEC judgment Kik v. OHIM, C-361/01 P [2003] par. 82. Available at: https://curia.europa.eu/juris/document/document.jsf?text=&docid=48555&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=1562893

[6] CJEU, CJ order OPS Újpest v Commission, C-741/18 [2019]. Available at: https://curia.europa.eu/juris/document/document.jsf?docid=223918&doclang=EN

[7] Council Regulation (EU, Euratom) No 2015/2264 extending and phasing out the temporary derogation measures from Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community and Regulation No 1 of 15 April 1958 determining the languages to be used by the European Atomic Energy Community introduced by Regulation (EC) No 920/2005 (OJ L 322, 8.12.2015, p. 1). Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R2264

[8] Council Regulation (EC) No 930/2004 of 1 May 2004 on temporary derogation measures relating to the drafting in Maltese of the acts of the institutions of the European Union (OJ L 169, 1.5.2004, p. 1). Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004R0930

		• Publication on website equivalent to publication on official journal (CJEU, PPG, C-625/11 P [2013] par. 32)	
Article 6	Possibility for EU institutions in specific cases provided in their rules of procedure to stipulate which of the languages are to be used	• Lawful restricted languages regimes • So-called "specific cases doctrine" (van der Jeught, 2021) • Legal basis for linguistic autonomy of EU institutions • Question about the limits of this autonomy	3.4 Case Law Discussion in Chapter 5
Article 7	Derogatory rules for the CJEU	• Statute of the CJEU • Rules of procedure of the Court of Justice • Rules of procedure of the General Court	Box 4 below
Article 8	Institutional autonomy of the Member States to choose their official language Mandatory and direct applicability of the Regulation		

Article 6 appears to be the counterpoint to Articles 1 to 5. It can be considered that respecting multilingualism obligations is the rule and the possibility to use one or few languages the exception (Clément-Wilz, 2022b). Further, a case could be made for a functional (or teleological) interpretation based on the goals of the EU as provided in Article 3 TEU, in order to take into consideration linguistic diversity and citizens' needs. The scope of Regulation No 1 is formally limited to EU institutions. However, because of the constitutional importance of Regulation No 1 and its adoption before the creation of decentralised agencies, all the principles should apply to EU bodies and agencies, as stated in case law and in the most authoritative legal literature. The General Court stated that the power granted under Article 6 applied to EU bodies (CJEU, GC., Italia v EESC, 2011, par. 42).[9] Indeed, Regulation No 1 establishes a general language regime and it is only if the regulation setting up a body or agency provides for a specific language regime, explicitly deviating from the rules of Regulation No 1, that the latter would not apply (Chiti, 2008, van der Jeught, 2021). In other words, it is "precisely the Regulation's concision that strengthens and extends its general scope" (Gozzi, 2004). In any case, treaty provisions concerning language use when communicating with citizens apply also to advisory bodies of the EU and the European Ombudsman (see above, subchapter 3.3).

3.4.2   Language arrangements for proceedings before the CJEU[10]

As provided by the preliminary statements and Article 7 of Regulation No 1, the CJEU (composed of the Court of Justice and the General Court) benefits from a derogatory statute. As explained in Chapter 4,

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[9]   CJEU, GC judgment Italy v EESC, T-117/08 [2011]. Available at: https://curia.europa.eu/juris/document/document.jsf?text=&docid=81894&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=1270101

[10] Statute of the CJEU, OJ C 202, 7.6.2016, p. 210–229. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016E%2FPRO%2F03; Rules of procedure of the Court of Justice, OJ L 265, 29.9.2012, p. 1–42. Available

the language of the case is determined for each action before the CJEU. The language of the case is one of the 24 official languages. In preliminary ruling proceedings, the language is always that used by the national court or tribunal which made the reference. In direct actions, applicants may choose the language of the case. They are not bound by their own nationality or by that of their lawyer. However, where the defendant is a Member State, the language of the case is the language, or one of the languages, of that State. Once the language of the case has been determined, it must be used throughout the proceedings, both in the written and oral procedure. The choice of the language to be used is binding not only on the parties, but also on any third parties who may be granted leave to intervene, except for Member States who by virtue of Article 38(4) are allowed to use their own language (see below chapter 4, section 4.3.4).

3.4.3   Staff Regulations of Officials of the European Union

Multilingualism provisions are also included in the Staff Regulations in terms of rules on non-discrimination, language skills and the specification of the knowledge of languages required in recruitment notices in view of the special nature of the posts to be filled. Table 2 outlines the key provisions under each relevant Article and provides cross references to other provisions and case law.

Table 2: Main legal provisions concerning languages in the Staff Regulations[11]

Articles	Key provisions	Comments and cross reference
Art. 1 (d), par. 1	"Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation shall be prohibited."	See case law in 3.4.2
Art. 1 (d), par. 6	" While respecting the principle of non-discrimination and the principle of proportionality, any limitation of their application must be justified on objective and reasonable grounds and must be aimed at legitimate objectives in the general interest in the framework of staff policy. […]"	See case law in 3.4.2
Art. 28 (f)	"An official may be appointed only on condition that […] he produces evidence of a thorough knowledge of one of the languages of the Union and of a satisfactory knowledge of another language of the Union to the extent necessary for the performance of his duties."	Same provisions for temporary staff (Art. 12, par. 2 (e)) and contract staff (Art. 82, par. 2 (e))
Annex III (Competitions), Art. 1 par. 1 (f)	"Notice of competitions […] shall state: […] where applicable, the knowledge of languages required in view of the special nature of the posts to be filled."	See case law in in 3.4.2

Source: Own elaboration

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at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32012Q0929%2801%29; Rules of procedure of the General Court OJ L 105, 23.4.2015, p. 1–66. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2015.105.01.0001.01.ENG

[11]   Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ P 045 14.6.1962, p. 1385). Consolidated text available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01962R0031-20140501

3.5 Case law of the CJEU

Turning to the case law of the CJEU, a range of legal issues can arise concerning the communication policies of EU institutions including the application of principles linked with multilingualism, the definition of the "specific cases doctrine", transparency, and recruitment of officials and contract staff.

3.5.1 Principles of EU Law and multilingualism

The CJEU stated, in a leading case, that "the principle of **legal certainty** requires that Community legislation must allow those concerned to acquaint themselves with the precise extent of the obligations it imposes upon them, which may be guaranteed only by the proper publication of that legislation in the official language of those to whom it applies" (CJEC, Skoma-Lux, C-161/06, 2007, par. 38[12]). It has been demonstrated that multilingualism is the corollary of other principles of EU Law, such as the **direct effect, primacy and effectiveness of EU Law** (Ziller, 2018).

The uniform application of EU law also relies on multilingualism, because all language versions of an EU act must, in principle, be recognised as having the same value (CJEC judgment Srl CILFIT and Lanificio di Gavardo SpA, 1982 and CJ judgment, Belgium v Commission, 2018).[13]

The Court also stressed that: "[i]t is of particular importance for the **transparency and democratic legitimacy** of action taken by the European Union […] which presupposes that the parliamentary debate and vote be based on a text that has been made available to the Members in good time and been translated into all the official EU languages" (CJEU judgment France v. EP, 2018, par. 57).[14] Therefore, transparency of the policy process is closely related to the question of multilingualism. It is also in line with Article 1 TEU which stipulates that "in the process of creating an ever closer union among the peoples of Europe […] decisions are taken as openly as possible and as closely as possible to the citizen".

Notwithstanding the importance of multilingualism for the certainty and effectiveness of EU law, the Court has **rejected the existence of a general principle of Community/Union law that confers a right on every citizen to have a version of anything that might affect his/her interests drawn up in his language in all circumstances** (CJEC judgment Kik v OHIM, 2003, par. 82).[15]

Finally, the CJEU does consider, under certain circumstances, that publication on official websites is equivalent to publication in the OJ. For instance, concerning the Directive 97/33 on interconnection in telecommunications, the Court states that this text "gives no guidance as to the mode of publication envisaged for the information defined […]. In those circumstances, in the modern telecommunications sector, publication via the internet can be considered as appropriate […]" (CJ judgment, Commission v Belgium, 2002, par. 44).[16]

Moreover, where the date of publication marks the starting point of the period laid down for instituting proceedings against it, the Court of Justice stated that the rule which states that **the time limit allowed for initiating proceedings against a measure adopted by an institution runs "from the publication**

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[12]   CJEC judgment Skoma-Lux, C-161/06 [2007]. Available at: https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62006CJ0161
[13]   CJEC judgment Srl CILFIT and Lanificio di Gavardo Sp1, C-283/81 [1982]. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:61981CJ0283 ; CJEU, CJ judgment Belgium v Commission, C-16/16 P [2018]. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62016CJ0016
[14]   CJEU, France v European Parliament, C-73/17 [2018]. Available at: https://curia.europa.eu/juris/liste.jsf?language=en&num=C-73/17
[15]   CJ judgment Kik, cit.
[16]   CJEC judgment, Commission v Belgium [2002]. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62001CJ0221&from=fr

of that measure in the Official Journal of the European Union" is capable of referring to challenge an act to the publication of measures in general. According to the CJEU, "**the reference to the Official Journal of the European Union may thus be explained by the simple fact that a publication in the Official Journal was the only envisageable form of publication at the time those Rules of Procedure were adopted**". Therefore, "it cannot be ruled out that [this time limit] applies to a measure which is published only on the internet, such as the contested decision" (CJ judgment PPG and SNF v ECHA, 2013 par. 31). [17] In the case Bilbaína de Alquitranes and o. v ECHA, the General Court ruled that decisions of the ECHA on identifying certain substances are decisions which are intended to produce legal effects as regards a category of persons viewed in a general and abstract manner. These decisions are never published in the OJ but on the website of the ECHA (GC judgment Bilbaína de Alquitranes and o. v ECHA, 2013, par. 31).[18] Accordingly, **the CJEU does adapt applicable EU law to the new reality of website communication, when the right to a court has to be protected**.

3.5.2   Case Law on language regime and specific cases doctrine

The CJEC has held, in the leading case Kik, that "the language regime of a body such as the [Office for Harmonisation in the Internal Market] is the result of a difficult process which seeks to achieve the necessary balance between the interests of economic operators and the public interest in terms of the cost of proceedings, but also between the interests of applicants for Community trademarks and those of other economic operators in regard to access to translations of documents which confer rights, or proceedings involving more than one economic operator, such as opposition, revocation and invalidity proceedings" (CJEC judgment Kik v OHIM, 2003, par. 92).[19] In other words, this case law shows that the language regime of an EU institution or a body is the result of a delicate balancing act between conflicting interests, requiring the engineering of linguistically appropriate solutions to practical difficulties (see also CJ judgment, Spain v Council, 2005).[20] This is the so-called "specific cases doctrine", deriving from Article 6 of Regulation No 1, according to which each institution, body or agency "may stipulate in their rules of procedure which of the languages are to be used in specific cases".

The issue was raised again when the language regime was restricted in the case of unitary patent regulation, on the basis of Article 118 TFEU. The restrictive nature of the language regime was very similar to that in Kik or even more restricted as according to the unitary patent regulation only three languages (i.e. English, French and German) were to be used. Spain (Case C-147/13, Spain v Council) brought an action for annulment against the Regulation on the language arrangements claiming that the linguistic regime creates an inequality between, on the one hand, EU citizens and undertakings that have the capacity to understand, with a certain level of expertise, documents drafted in the three official languages of the European Patent Office (EPO) and, on the other hand, those without that capacity who will have to have translations made at their own expense. All arguments submitted by Spain were focused on the detrimental effect of the language regime on citizens and undertakings.

The Court ruled, recalling the Kik jurisprudence, that the chosen linguistic regime differentiating between the official languages of the EU pursues a legitimate objective and does not go beyond what is necessary. First, it pointed out that European patents covering the territory of all Member States

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[17]   CJEU, CJ judgment PPG and SNF v ECHA [2013], C-625/11 P. Available at:
       https://curia.europa.eu/juris/document/document.jsf?text=&docid=142203&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&par
       t=1&cid=5792773
[18]   CJEU, GC judgment Bilbaína de Alquitranes and o. v ECHA [2013]. Available at:
       https://curia.europa.eu/juris/document/document.jsf?text=&docid=134564&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&par
       t=1&cid=5791105
[19]   CJ judgment Kik, cit.
[20]   CJEU, CJ judgment, Spain v Council, Case C-147/13 [2015]. Available at: https://eur-lex.europa.eu/legal-
       content/EN/TXT/?uri=CELEX%3A62013CJ0147

constitute an obstacle to patent protection within the EU, and consequently it was essential that the translation arrangements for the Regulation should be demonstrably cost-effective. Second, the Court underlined that a number of mechanisms designed to secure the necessary balance between the interests of applicants for the unitary patent and the interests of other economic operators in regard to access to translations were introduced by the Regulation such as compensation of translation costs, special translation arrangements during the transitional period and translation requirements in case of litigation (see Somssich, 2016).

In another important case, Spain v European Parliament, the Court reminded the European Parliament of the importance of adopting internal rules of procedure governing the application of its language regime. It held that "in so far as the European Parliament has not adopted, pursuant to Article 6 of Regulation No 1, internal rules of procedure governing the application of its language regime, it cannot be stated, without regard to the duties that the persons recruited will actually be called upon to perform, that [English, French and German] are necessarily the most useful languages for all the duties in that institution" (CJEU, Spain v. European Parliament, 2019, C-377/2016, par. 73).[21]

3.5.3   Case law on recruitment

The language of recruitment competitions needs to be distinguished from the language skills requirements of the candidates. The Grand Chamber of the Court of Justice gave two judgments in 2019 on these aspects.

Concerning the language of the competition, the Court of Justice included in the scope of Regulation No 1 the relationship between the institutions and the candidates for an external competition (CJEU, CJ judgment Italian Republic v. European Commission, 2012, par. 68)[22], imposing "a strict respect for multilingualism in selection procedures" (van der Jeught, 2015, p. 139). The Court of Justice considered that "competition notices cannot be regarded as rules of procedure" in the sense of Article 6 of Regulation No 1 (par. 67) and that "the contested competition notices ought to have been published in full in all the official languages" (par. 71).

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[21]   CJEU, CJ judgment Spain v. European Parliament, C-377/2016 [2019]. Available at:
https://curia.europa.eu/juris/document/document.jsf?docid=212225&doclang=EN
[22]   CJEU, CJ judgment Italy v European Commission, C-566/10 [2012]. Available at:
https://curia.europa.eu/juris/document/document.jsf?text=&docid=130402&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=4896079

Box 4: Court of Justice, Grand Chamber, Commission v Italy, 2019[23]

The Commission brought an appeal before the Court of Justice seeking the annulment of the judgment of the General Court[24] by which the General Court, as a result of actions brought by Italy, had annulled two notices of open competition of the European Personnel Selection Office (EPSO) on the grounds that it was unlawful to restrict the choice of 'language 2' of the competition to English, French and German and to restrict to those three languages the choice of language of communication between candidates and EPSO.

While **competition notices must be published in full in the Official Journal of the European Union** in all the official EU languages, EPSO is not obliged to communicate, in the context of a competition, with a candidate in a language freely chosen by the latter.

However, **the language of communication with EPSO can be restricted to some languages**: the Court admitted that "differences in treatment as regards the language arrangements for competitions may be authorised, pursuant to Article 1d(6) of the Staff Regulations, if they are objectively and reasonably justified by a legitimate objective in the general interest in the framework of staff policy."

In this case, no such justification was provided by EPSO.

Source: Own elaboration

If the competition is not open to all citizens but is **internal**, it does not have to be published in the Official Journal of the EU in all the official languages. In this case, it can be published in some languages only (CJEU, GC judgment JM Barata v European Parliament, 2018, par. 122).[25]

Concerning language skills, the Court stated that the Staff Regulations prohibit any discrimination, including discrimination on grounds of language, it being understood that differences of treatment on grounds of language may be authorised if they are justified by a legitimate objective of general interest, such as the interests of the service or even the actual needs relating to the duties that the persons recruited will be required to carry out (CJEC judgment Küster, 1975, par. 22).[26] In another leading case, the Court stated that, in a selection procedure, the institutions enjoy a broad discretion when assessing the qualifications and merits of the candidates to be taken into consideration. However, they are required not only to ensure that any difference in treatment based on language is such as to meet the interests of the service and is proportionate thereto, but also to justify such a difference by clear, objective and foreseeable criteria enabling candidates to understand the grounds for that difference in treatment and the Courts of the European Union to review its lawfulness (CJEU, CJ Judgment, Spain v European Parliament, 2019)[27].

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[23]   CJEU, CJ judgment Commission v Italy, C-621/16 P [2019]. Available at: https://curia.europa.eu/juris/liste.jsf?num=C-621/16
[24]   CJEU, GC judgment Italy v Commission, T-353/14 and T-17/15 [2016]. Available at: https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62014TJ0353
[25]   CJEU, GC judgment JM Barata v European Parliament, T-723/18 [2021]. Available at: https://curia.europa.eu/juris/liste.jsf?num=T-723/18&language=EN
[26] CJEC judgment Küster v European Parliament, C-79/74 [1975]. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:61974CJ0079&from=nl
[27]   CJEU, CJ judgment Spain v European Parliament, C-377/16 [2019]. Available at: https://curia.europa.eu/juris/document/document.jsf?docid=212225&doclang=EN

3.6 Conclusion

This chapter reviewed the legal framework for EU multilingual communication and more specifically for EU institutions, bodies and agencies' website communication. The legal framework, which includes primary law, secondary law and the case law of the CJEU, sets out specific obligations concerning the rights for citizens to communicate directly with the EU institutions. EU citizens can 'address' any of the institutions and advisory bodies including agencies in the language of their choice. They can also exercise their right to petition the European Parliament, apply to the European Ombudsman and registers a citizen initiative in any language of the EU[28]. Furthermore, all the legal text of general application must be published in the OJ in the 24 official languages.

Regulation No 1 sets out a 'multilingualism constitution' and provides for a general legal framework for the language regime of the institutions (except for the CJEU) and, as shown in this chapter, to the bodies and agencies of the EU. The institutions, bodies and agencies can work in all the 24 official languages, which have the same equal status. However, each institution, body or agency "may stipulate in their rules of procedure which of the languages are to be used in specific cases" (Article 6 of Reg. No 1). This so-called 'specific cases doctrine' should be interpreted narrowly as it provides a derogatory status from multilingualism, even though the CJEU admits that the language regime of an EU institution, a body or an agency is the result of a delicate balancing act between conflicting interests, requiring the engineering of linguistically appropriate solutions to practical difficulties. The CJEU mainly reiterates their multilingualism obligations concerning recruitment and these obligations are fulfilled if the institutions, bodies or agencies set out clearly their language regime. The CJEU also reminds the institutions about their duty in terms of transparency in language skills requirements' evaluation. Finally, in a case law concerning the publication of legal act, the CJEU in some cases has considered that such an obligation is fulfilled when the publication is online, even if the original legal text refers to publication in the OJ.

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[28]   Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative, OJ L 130, 17.5.2019, p. 55. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R0788

4 LANGUAGE REGIMES AND WEBSITE LANGUAGE POLICIES OF EU INSTITUTIONS, BODIES AND AGENCIES

KEY FINDINGS

- Article 6 of Regulation No 1 allows EU institutions to stipulate which languages to use in specific cases. As a result, there is a variety of language regimes.
- The European Parliament, the Court of Justice of the European Union, the European Council, the Council of the European Union and the European Central Bank, and the European Court of Auditors have formally defined their language regimes, while the European Commission has not done so.
- All principles laid down in Regulation No 1 should apply to EU bodies and agencies, unless the regulation setting up a body or agency explicitly provides otherwise.
- The founding act of some bodies or agencies provides for a language regime, either with explicit reference to Regulation No 1, or with provisions establishing such a regime or authorising to establish internal language arrangements. Some bodies or agencies do not provide for any language regime.
- The language regime of bodies and agencies is often unclear, does not follow a comparable structure, and relies most of the time on implicit rules and practices.
- The European Ombudsman in 2019 has provided recommendations on the use of the 24 official EU languages when communicating with the public. Our analysis shows that there is room to improve the implementation of these recommendations, especially by bodies and agencies. Most institutions and bodies have a website language policy, while most agencies do not.
- The choice of internal working languages influences the availability of documents published on agencies' websites and their communication policy.

4.1 Introduction

This chapter presents the internal language rules and website language policy of EU institutions, bodies and agencies. A discussion of website language policy is relevant because many internal working documents, draft reports, and recorded oral communications can be published online (i.e. made public). Documents produced for internal purposes and subsequently published online, in practice, seem to be regarded as a by-product of internal communication, and therefore subject to Article 6 of Regulation No 1 (see the "specific cases doctrine", Chapter 3). As a result, these documents are often not subject to translation requirements according to a certain interpretation of EU law, even if in practice they may be indistinguishable from official publications. This view will be critically assessed in Chapter 5.

4.2 Methodology

This chapter draws on analysis of internal rules of procedures or regulations of EU institutions, bodies and agencies, relevant sections of their websites and scientific and policy literature on EU language

policy.[29] It also presents and discusses the policy (if it exists) adopted by institutions, bodies and agencies that concerns the use of languages on their website (we use the term "website language policy"). However, there are many different approaches and formats. Webpages may contain mixed content, such as information about internal rules and at the same time website communication. In this chapter, therefore, we use the terms website language policy to include statements made by institutions, bodies, and agencies on their website about the languages used on the website itself (e.g. what documents are made available in which languages), and more generally about the languages used with the public. A webpage that simply reports the internal language arrangement contained in the rules of procedures of an institution cannot be seen as a proper website language policy.

4.3   Language regimes in EU institutions, bodies and agencies

There is a variety of language regimes in the EU. This chapter shows that, in some cases, the language regimes formally include a restricted number of working languages, while in most cases the use of few or one working language(s) is the result of operational practices.

4.3.1   European Parliament

Multilingual communication is essential for the successful functioning of an elected institution representing citizens that speak different languages. The EP stipulates in its rules of procedure (European Parliament, 2021) that all documents shall be drawn up in the official languages and that all MEPs have a right to express themselves and be addressed in all official languages, or, in smaller meetings, in the official languages requested by the participants.[30] In particular, Rule 167 of the rules of procedure provides that:

"1. All documents of Parliament shall be drawn up in the official languages.

2. All Members shall have the right to speak in Parliament in the official language of their choice […]

3. Interpretation shall be provided in committee and delegation meetings from and into the official languages that are used and requested by the members and substitutes of that committee or delegation.

4. At committee and delegation meetings away from the usual places of work, interpretation shall be provided from and into the languages of those members who have confirmed that they will attend the meeting. These arrangements may exceptionally be made more flexible. The Bureau shall adopt the necessary provisions.

5. After the result of a vote has been announced, the President shall rule on any requests concerning alleged discrepancies between the different language versions."

The source language of EP written documents is usually English. Van der Jeught (2021) reported that between 2015 and 2019 (figures rounded to the unit in the original source), English was the source language of 72% of documents that were eventually translated, followed by French (13%), Italian (4%), German (3%), Spanish (3%), and 6% in all other languages.

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[29]   The authors of this study wish to thank Mr Petros Katsoulas (University Paris II Panthéon-Assas), and Dr Marco Civico (University of Geneva) for their valuable assistance in the preparation of this chapter.
[30]   For details, see also the Code of Conduct on Multilingualism (European Parliament, 2019). Available at: https://www.europarl.europa.eu/about-parliament/files/organisation-and-rules/multilingualism/code-of-conduct_en.pdf

Oral communication, in formal meeting contexts, is multilingual, but individual speakers mostly use the official language (or one of the official languages) of their home country relying on the interpretation service. Language proficiency allows MEPs to have the higher ground in an argument, and building a consensus, or agreement, requires parties to make their positions clear. Despite this, it has been observed that speakers sometimes prefer to switch to English to address directly some of their interlocutors during a debate, thereby bypassing language mediation systems. Research shows that communication in one or a few widely spoken languages at the EP is seen as viable insofar as MEPs know that they can fall back on reliable interpretation and translation in their native language in case of need (Ringe, 2022). In other words, multilingualism is a safety net that makes it politically possible to use one or a few working languages in some meetings. Allowing EU actors to rely on their native languages is an important factor that mitigates inequalities and linguistic insecurity arising from the use of one or a few *lingua francas* (Ringe, 2022).

4.3.2 European Council and Council of the European Union

The European Council shares its website with the Council of the European Union, and for this reason we treat them together here. Representing the interests of the Member States, it follows that support for multilingualism by the Council is important as a matter of equality between Member States and their representatives and accuracy of understanding, not least because of the need to approve legislation in the various language versions which are all equally authentic and binding. The internal language regime of the two institutions is decided in the Council Decision of 1 December 2009 adopting the Council's rules of procedure (2009/937/EU).[31]Article 14 provides that:

> "1. Except as otherwise decided unanimously by the Council on grounds of urgency, the Council shall deliberate and take decisions only on the basis of documents and drafts drawn up in the languages specified in the rules in force governing languages.
>
> 2. Any member of the Council may oppose discussion if the texts of any proposed amendments are not drawn up in such of the languages referred to in paragraph 1 as he or she may specify."

The "rules in force governing languages" is Regulation No 1. Hanzl and Beaven (2017) reported that the translation service of the Council is split in 24 units (one per official language) and that the language of source documents is predominantly English. Van der Jeught (2021) reported data on the distribution of translated documents by source language at the Council. In 2019, 90.5% of translated document were originally drafted in English, 4.4% in French and 0.6% in German. This represented an increase on English compared to 2017, when the figures were 86.4%, 6.1% and 1%, respectively.

4.3.3 European Commission

The internal rules of procedure of the European Commission do not formally define its language regime. Article 17 of the rules of procedure of the Commission [C(2000) 3614],[32] consolidated version, just provides that:

> "Paragraphs 1-3, Any instruments adopted by the Commission [in the course of a meeting, by written procedure, by empowerment procedure, delegation procedure or by subdelegation] shall be attached, in the authentic language or languages, in such a way that they cannot be separated, to a summary note prepared at the end of the meeting at which they were adopted.

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[31] OJ L 325, 11.12.2009, p. 35–35. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32009D0937
[32] OJ L 308, 8.12.2000, p. 26–34. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02000Q3614-20111116&from=EN#page=13

They shall be authenticated by the signatures of the President and the Secretary-General on the last page of the summary note.

Par. 4, (…) 'instruments' means any instrument as referred to in Article 288 TFEU.

Par 5 […] 'authentic language or languages' means the official languages of the European Union […] in the case of instruments of general application, and the language or languages of those to whom they are addressed, in other cases."

Whereas "the Commission has not made use of the exception clause in Article 6 of the Regulations, [it] seems to have inversed the principle laid down in [the] regulations, [as] instead of indicating the specific cases in which an exception is made to the general principle of equality of all the official languages, [it] uses, as a general rule, three working languages, with the exception of specific cases in which other languages are authentic, and their use is therefore required" (van der Jeught, 2015: 132).

The three traditional working (or procedural) languages are English, French, and German, but in practice English has gradually become the main working language, a process that accelerated after the enlargement in 2004 (Leal, 2021). According Lequesne (2021), in 2007 73.5% of documents drafted by the European Commission were in English, 12.3% in French, and 2.4% in German. In 2019, the proportion of documents whose source language was English increased to 85.5% while French declined to 3.7% (see also van der Jeught 2021).

This does not mean that translations of working documents into languages are not available for internal meetings. The Commission has issued guidelines on which types of documents must be translated, in how many languages and expected timeframes (European Commission, 2016).[33] Some documents must be available in English, French and German (e.g. the Agenda, and minutes of College meetings), others should be eventually available in all official languages (e.g. Green Paper/White Paper). There is some discretion in the implementation of translation policy. For example, call for tenders and call for proposals and webpages of the Europa webpage should be translated "as needed" (European Commission, 2016, Annex 1). The interviews carried out for this study also reveal that since 1972 there are internal guidelines about interpreting according to which the provision of interpreting services must be based on "real needs".

4.3.4   Court of Justice of the European Union

The special status of the CJEU with respect to language policy is recognised in the TFEU: "The rules governing the languages of the institutions of the Union shall, *without prejudice to the provisions contained in the Statute of the Court of Justice of the European Union*, be determined by the Council, acting unanimously by means of regulations" (TFEU: Article 342; emphasis added) and in Article 7 of Regulation No1: "The languages to be used in the proceedings of the Court of Justice shall be laid down in its rules of procedure". The language regime of the CJEU is established by Article 64 of the Statute of the CJEU,[34] Articles 36-42 of the rules of procedure of the Court of Justice,[35] and Articles 44-49 of the rules of procedure of the General Court.[36] Article 64 of the Statute of the CJEU provides that:

"The rules governing the language arrangements applicable at the Court of Justice of the European Union shall be laid down by a regulation of the Council acting unanimously. This regulation shall be adopted either at the request of the Court of Justice and after consultation

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[33]   Available at: https://ec.europa.eu/transparency/documents-register/detail?ref=C(2016)2000&lang=en
[34]   OJ C 202, 7.6.2016, p. 210–229. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016E%2FPRO%2F03
[35]   OJ L 265, 29.9.2012, p. 1–42. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32012Q0929%2801%29
[36]   OJ L 105, 23.4.2015, p. 1–66. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2015.105.01.0001.01.ENG

of the Commission and the European Parliament, or on a proposal from the Commission and after consultation of the Court of Justice and of the European Parliament.

Until those rules have been adopted, the provisions of the Rules of Procedure of the Court of Justice and of the Rules of Procedure of the General Court governing language arrangements shall continue to apply. By way of derogation from Articles 253 and 254 of the Treaty on the Functioning of the European Union, those provisions may only be amended or repealed with the unanimous consent of the Council."

Articles 36-42 of the rules of procedure of the Court of Justice regard the use of languages of a case and the languages used in publication. In particular, Article 36 ("Language of a case") provides that "the language of a case shall be Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish or Swedish". Article 40 ("Languages of the publications of the Court"), provides that "publications of the Court shall be issued in the languages referred to in Article 1 of Council Regulation No 1". Since 2004, many judgments are published in full in the ECR (European Court Reports) in all languages of publication, certain judgments are published by extracts in all languages, and "unpublished" judgments are only referenced in the ECR in all the languages of publication (Wright, 2018).

Finally, articles 44 to 49 of the rules of procedure of the General Court have the same content of article 36-42 of the rules of procedure of the Court of Justice with adaptation to the General Court jurisdiction.

The implementation of CJEU language arrangements makes the CJEU the most multilingual EU institution, along with the European Parliament (Clément-Wilz, 2022a). Research on the curia website presented in Clément-Wilz (2022a) shows that over the period 2014-2021, 29.5% of the decisions used English as the language of the case, 18.5% German, 17.6% French, 7.7% Italian, 6.7% Spanish and 3.6% Dutch. The prevalence of English as the language of proceedings can be explained by the large number of direct actions brought before the Tribunal in this language. If we focus on the Court of Justice alone, however, the percentages change: 22.4% of decisions use German as the language of the case, 16.1% English, 10.4% French, 9.2% Italian, 8.1% Spanish, 6.7% Dutch, and 4.4% Polish, and in preliminary rulings cases 25% German, 10.6% Italian, 9.1% Dutch, 8.6% French, 7.8% Spanish, 5.6% English and 4.4% Polish (Clément-Wilz, 2022a).

All relevant documents are translated into French. Deliberations are also in French (although sometimes in English) and without interpretation (Ringe, 2022). Both preliminary and final judgments are drafted in French, and the latter are subsequently translated into the original language of the procedure as well as in the other EU official languages (McAuliffe, 2016; Pingel, 2018). This practice of French as a working language for the CJEU contrasts with the other EU institutions, where English is the predominant working language. The reason for this peculiarity can be traced back to the 1950s (Horspool, 2006) when English was not an official language of the Union, and French was the language commonly used among European jurists.

4.3.5 European Central Bank

As an institution since the entry into force of the Lisbon Treaty, the European Central Bank (ECB) is subject to the rules provided by Regulation No 1. An explicit derogation from the regulation is recognised by the ECB's rules of procedure (2004/257/EC),[37] Article 17:

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[37] OJ L 80, 18.3.2004, p. 33–41. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004D0002

"Par. 2. ECB Guidelines shall be adopted by the Governing Council, and thereafter notified, in *one* of the official languages of the European Communities, and signed on the Governing Council's behalf by the President. They shall state the reasons on which they are based. Notification of the national central banks may take place by means of telefax, electronic mail or telex or in paper form. Any ECB Guideline that is to be officially published shall be translated into the official languages of the European Communities [emphasis added].

Par. 6. ECB Instructions shall be adopted by the Executive Board, and thereafter notified, in one of the official languages of the European Communities, and signed on the Executive Board's behalf by the President or any two Executive Board members. Notification of the national central banks may take place by means of telefax, electronic mail or telex or in paper form. Any ECB Instruction that is to be officially published shall be translated into the official languages of the European Communities.

Par. 8. The principles of Council Regulation (EC) No 1 determining the language to be used by the European Economic Community (1) of 15 April 1958 shall apply to the legal acts specified in Article 34 of the Statute [i.e. regulations, decisions, recommendations and opinions it issues]."

Athanassiou (2006) notes that, while complying with the general rules of the Regulation No. 1 (cf. Hanf *et al.* 2010), the ECB works with a flexible language regime, which depends on the type of communication. The internal working language is English. This reflects the fact that English is the dominant language of research in economics and in the financial markets. Internal interpretation services are very limited and ad hoc when there is a need. There are no in-house interpreters and, during key press conferences, interpretation is limited to German and French, and provided by an outsourced service.

Communication with other national bodies may happen in the other EU languages. In November 2004, the ECB assumed direct supervisory tasks over the Eurozone's largest banks, leaving the supervision of smaller banks to national bodies (Buell, 2014a). For this purpose, the ECB published a draft on the legal groundwork of its activities as a supervisory body to the various national institutions. The first version of this document was viewed with concern by some of the EU's largest banks, which, among other things, complained about the language in which they could communicate as the ECB requested that communication should happen exclusively in English (Lawton, 2014). Following complaints, the ECB agreed that they could decide on their communication language, and opted for their national language. Many banks took this decision to ensure that technical terms and concepts were being used correctly (Buell, 2014b). At present, six languages are used for communications with the largest banks: English, German, Finnish, French, Italian, and Spanish.

4.3.6   European Court of Auditors

The European Court of Auditors (ECA) language regime is defined in its rules of procedure.[38] Article 28 provides that:

"1.   The reports, opinions, observations, statements of assurance and other documents, if for publication, shall be drawn up in all the official languages.

2.   The documents shall be authenticated by the apposition of the President's signature on all the language versions."

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[38]   OJ L 103, 23.4.2010, pp. 1-6. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32010Q0423%2801%29

Internal communication by the ECA relies on a policy of "limited multilingualism" based on English and French.[39] While both languages are used for some internal formal communications, in practice English has become the *lingua franca* in recent years driven by the 2004 enlargement with French dominant previously. There is a very limited need for translation of internal documents – mainly when communications are received from Member States (e.g. replies to audit reports) which would be translated into English for internal use. Our interviews confirm that external communication is mainly focused on the publication of audit reports and opinions in all EU languages.

4.3.7   The language regime of EU bodies and agencies

EU bodies and agencies may be subject to different rules from those that govern communication in the EU institutions. As noted in Chapter 3, all principles laid down in Regulation No1 should apply to EU bodies and agencies. However, if the regulation setting up a body or agency provides for a specific language regime, explicitly deviating from the rules of Regulation No 1, the latter would not apply (Chiti, 2008, van der Jeught, 2021, see Chapter 3). **In terms of compliance with the body of EU languages law, agencies and bodies should comply with Regulation No 1 unless the regulation setting up a body or agency explicitly provides otherwise**.

This section presents the language regimes of EU's bodies and agencies. A list of references of the rules of procedures and internal regulations of the 42 agencies are included in the Annex 1.4. This section shows that the founding act of some bodies or agencies provides for a language regime, either with explicit reference to Regulation No 1, or with provisions establishing such a regime or authorising to establish internal language arrangements. Some bodies or agencies do not provide for any language regime. Overall, the language regime of bodies and agencies is often unclear, does not follow a comparable structure, and relies most of the time on implicit rules and practices.

EU bodies

No explicit language regime is available for the **European External Action Service.**[40] The **European Economic and Social Committee (EESC)** does not address the language regime in its rules of procedure. Rule 64, par. 3 simply provides for EU citizen to write to the Committee in an official language and receive a reply in the same language (in accordance with Article 24 of the TFEU).[41] The rules of procedure of the **European Committee of the Regions (CoR)** contains a rule on interpreting arrangements (Rule 80), according to which "the following principles shall as far as possible be observed in relation to interpreting arrangements: [42]

> a) The Committee's debates shall be accessible in the official languages unless the Bureau decides otherwise.
>
> b) All members shall have the right to address the plenary session in whichever official language they choose. Statements in one of the official languages shall be interpreted into the other official languages and any other language the Bureau considers necessary. This shall also apply to languages for which this possibility has been provided for in administrative agreements between the Committee and various Member States.

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[39]   See the Court's Communication Policies and Standards. Available at:
https://www.eca.europa.eu/en/Pages/PoliciesStandadsGuidelines.aspx
[40]   Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, pp. 30-40). Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32010D0427
[41]   Consolidated version of the Rules of Procedure of the European Economic and Social Committee. OJ L 324, 9.12.2010, p. 52–68. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32010Q1209(01)
[42]   See OJ L 472/1 30.12.2021. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021Q1230(01)

c) At Bureau, commission and working party meetings, interpreting shall be available from and into the languages used by the members that have confirmed they will attend the meeting."

The rules of procedure of the **European Investment Bank** (Article 9) provides that "Each member of the Board of Governors shall be entitled to avail himself of one of the official languages of the Union. He may require that any document for consideration by the Board be drawn up in the language of his choice".[43] The **European Ombudsman**'s language regime is established in the Decision of the European Ombudsman adopting implementing provisions:[44]

"3.1. Any person may write to the Ombudsman in any Treaty language, on any matter falling within the Ombudsman's competence. The Ombudsman shall draft the response in that Treaty language.

13.2. A complaint may be submitted to the Ombudsman in any Treaty language. The Ombudsman shall communicate with a complainant in that language.

13.3. In exceptional circumstances, the Ombudsman may request the institutions to provide copies of relevant documents in the language of the complaint. In making such a request, the Ombudsman shall act proportionately to the needs of the complainant and reasonably with regard to the resources of the institutions."

The language regime of the **European Data Protection Supervisor** is in its rules of procedure:[45]

"Art 16.2: The EDPS shall handle complaints submitted in writing, including in electronic form, in any official language of the Union and which provide details necessary for the complaint to be understood.

Art 31:

1. The EDPS is committed to the principle of multilingualism, as cultural and linguistic diversity is one of the cornerstones and assets of the European Union. The EDPS strives to find a balance between the principle of multilingualism and the obligation to ensure sound financial management and savings for the budget of the European Union, hence making a pragmatic use of its limited resources.

2. The EDPS shall respond to any person addressing it on a matter falling within its competence in one of the official languages of the European Union in the same language used to address it. All complaints, requests for information and any other requests may be sent to the EDPS in any of the official languages of the European Union, and shall be answered in the same language.

3. The website of the EDPS shall be available in English, French and German. Strategic documents of the EDPS, such as the strategy for the mandate of the European Data Protection Supervisor, shall be published in English, French and German."

The rules of procedure of the **European Data Protection Board** explicitly provides that "the working language of the Board shall be English. Live interpretation should be provided in all official languages of the EU at ordinary plenary meetings of the Board" (Art 23).[46]

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[43] The Rules of Procedure of the European Investment Bank. Available at: https://www.eib.org/en/publications/rules-of-procedure
[44] The European Ombudsman: Decision of the European Ombudsman adopting implementing provisions (2016/C 321/01). Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016D0901%2801%29
[45] See OJ, L 204/49, 26.6.2020 "Decision of the European Data Protection Supervisor of 15 May 2020 adopting the Rules of Procedure of the EDPS". Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2020.204.01.0049.01.ENG
[46] Available at: https://edpb.europa.eu/our-work-tools/our-documents/rules-procedure/current-rules-procedure_en

EU agencies

The analysis of EU agencies' legal provisions or other sources concerning language regimes shows that the founding Regulation of 24 out of 42 agencies[47] explicitly states that the provisions of Regulation No 1 shall apply (Annex 1.4). In eight of these regulations, it is also provided that the Management Board can or shall decide on the languages to be used in internal functioning or the internal language arrangements or the working language. As explained in Chapter 3, this does not mean that the other agencies are not covered in principle by the Regulation No 1. Whether explicitly stated by the Management Board of the Agency, or presented as a practice on its website, 15 agencies explicitly state that the internal working language is English. Other agencies have adopted more internal working languages (see Annex 1.4). The decision of the Governing Board of the European Training Foundation, states that "the working languages are English, French, German, Italian and Spanish," the same working languages of the European Union Intellectual Property Office. A special case is the Translation Centre for the Bodies of the EU. Due to its specificity, it is multilingual. In the joint statement by the Council and the Commission that accompanies the regulation establishing the Centre, it is stated that "On the occasion of the setting up of the Translation Centre, the Council and the Commission confirm that the Centre should be organised in such a way as to enable the official languages of the European Communities to be treated on an equal footing, without prejudice to any specific provisions on the language usage of the various bodies on behalf of which the Centre operates."

4.4   The use of languages on the websites of EU institutions, bodies and agencies

The European Ombudsman (2019) has provided recommendations to guide the EU administration on the use of the 24 official EU languages when communicating with the public.[48] The recommendations give guidance on how and when to communicate in which languages, and what general practical steps to put in place. According to the recommendations, each EU institution, body, office and agency should:

"1. Establish a clear policy on the use of official EU languages, setting out which languages are used in which type of situation (for example, in public consultations, administrative procedures, press relations, or the use of social media).

2. Publish this policy on its website in all official languages in an easily accessible format.

3. See to it that the policy is complied with and applied consistently throughout the organisation, for example, by assigning this task to a unit or team, creating a designated 'language officer' or through a dedicated section in the annual report.

4. Ensure that any restrictions on the use of official languages are objective, proportionate and transparent. Language restrictions should not be imposed exclusively due to cost or time issues, but primarily following an assessment of the impact and relevance of the information for specific stakeholder groups and the public.

5. Publish summaries of key issues in all or as many official languages as possible, if language restrictions are applied.

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[47]   This includes 40 decentralised organisations (agencies), including those linked to the common foreign and security policy, and the two Euratom agencies and bodies. Executive agencies have not been included since they are part of administrative structure of the European Commission.

[48]   Available at: https://www.ombudsman.europa.eu/en/doc/correspondence/en/129519

6. Make available in all official languages those parts of its websites that are of particular interest to the public. This should include, at least, the homepage and pages giving information about its role and contact details.

7. Ensure that citizens, who write to the EU administration in the official language of their choice, receive a reply in the same language within a reasonable time frame.

8. Aim to make public consultations available in all official languages at the beginning of the consultation process. If it is not possible to publish all consultation documents in all official languages, make clear that contributions are accepted in all official languages.

9. Pool translation resources, where possible, to reduce costs and ensure that citizens receive more information in more languages.

10. Make maximum use of all available translation tools and technologies."

As regards EU agencies, the general Joint Statement and Common Approach of the European Parliament, the Council of the EU and the European Commission on decentralised agencies published in 2012,[49] emphasises the importance of transparency in relations with stakeholders, and recommends that "agencies' websites should be made as multilingual as possible, in order to facilitate their consultation by citizens of all Member States. Agencies should provide, via their websites, information necessary to ensure transparency, including financial transparency."

The recommendations of the Ombudsman, therefore, cannot be fulfilled by simply publishing online the rules of procedure concerning the languages used in the internal activities of institutions, bodies or agencies. They suggest going further, and publishing on the website of each institution, body and agency information about which languages are used in which type of situation, including communication directed towards audiences such as the press or the general public, and this irrespectively whether the published documents are available in the Official Journal. This includes also explaining which languages are used on the website itself, and for what purpose or type of document. The "website language policy" can be seen as a self-description of the way in which an institution, body or agency manages the publication of documents and pages on its website, and more generally of their communication approach.

Our analysis shows that **there is room to improve the implementation of these recommendations, especially by bodies and agencies**. We find that most institutions and bodies have a website language policy, while most agencies do not. A complete transcription of the website language policy of institutions, bodies and agencies is available, respectively, in Annex 1.1, 1.2, 1.3 and 1.4. The main findings can be summarised as follows.

- **EU institutions:** The EP does not have a website language policy, but it has a webpage summarising the EU language policy in general.[50] The European Council and the Council of the European Union explain how they use languages on their website.[51] The European Commission's website language policy is contained in the webpage "Languages on our websites."[52] The website of CJEU does not contain a section on multilingualism management in external communication, but simply a webpage summarising the language arrangements contained in the rules of procedure already

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[49] Available at: https://data.consilium.europa.eu/doc/document/ST-11450-2012-INIT/en/pdf
[50] Available at: https://www.europarl.europa.eu/factsheets/en/sheet/142/language-policy
[51] Available at: https://www.consilium.europa.eu/en/about-site/language-policy/
[52] Available at: https://ec.europa.eu/info/languages-our-websites_en

discussed above[53]. The ECB clarifies the language policy of its website, see webpage "Language policy of this website"[54]. The ECA's language policy is explained in its "Communication Policies and Standards"[55] and "Communications policy and principles"[56]. The first document simply summarises the official language regime of the ECA, and does not concern communication via the internet. The second document contains a description of the Court's approach to digital communication.

- **EU bodies:** Four out of seven EU bodies have published a website language policy: European External Action Service;[57] European Committee of the Regions,[58] European Investment Bank,[59] and the European Ombudsman",[60] the latter being the most comprehensive language policy among EU bodies. The websites of the European Economic and Social Committee, European Data Protection Supervisor, and European Data Protection Board do not contain information as regard the use of languages of these bodies.

- **EU agencies:** Only 11 out of 42 agencies present their language policy on their website. The agencies' external communication policy, when stated on the website, can be found in Annex 1.4 together with the description of their language regime, as the former helps to clarify the latter. The 11 agencies are: European Agency for Safety and Health at Work; European Centre for Disease Prevention and Control; European Environment Agency; European Food Safety Authority; European Foundation for the Improvement of Living and Working Conditions; European Maritime Safety Agency; European Monitoring Centre for Drugs and Drug Addiction; European Union Agency for Criminal Justice Cooperation; European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice; European Union Intellectual Property Office; and the European Defence Agency.

A second key finding is that **some webpages provide detailed and comprehensive information about the multilingual communication approach of the institution, body or agency, while in others the content is minimal**. In the case of agencies, choices about the languages to be used are very often influenced by the type of audience, with a general preference for monolingual communication in English when communication is directed to "experts" or "media". With few exceptions, little evidence is provided on their website about the language skills and preferences of such actors.

Third, **the choice of internal working languages influences the availability of documents published on agencies' websites and their communication policy**. The examples of the European Defence Agency and the European Union Agency for Criminal Justice Cooperation (see Annex 1.4) shed lights on the relationships between internal communication practices and external communication policy, as a monolingual working environment is more likely to justify and be conducive to monolingual external communication.

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[53]   Available at: https://curia.europa.eu/jcms/jcms/Jo2_10739/en/
[54]   Available at: https://www.ecb.europa.eu/services/languagepolicy/html/index.en.html
[55]   Available at: https://www.eca.europa.eu/en/Pages/PoliciesStandadsGuidelines.aspx
[56]   Available at: https://www.eca.europa.eu/en/Pages/PolicyPrinciples.aspx
[57]   Available at: https://www.eeas.europa.eu/eeas/eeas-language-policy_en
[58]   Available at: https://cor.europa.eu/en/Pages/language-policy.aspx
[59]   Available at: https://www.eib.org/en/languages.htm
[60]   Available at: https://www.ombudsman.europa.eu/fr/languagepolicy/en

4.5   Conclusion

Language regimes can be adopted autonomously by EU institutions by virtue of Article 6 of Regulation No 1 leading to variations in practices. The language regime of six EU institutions is formally defined (European Parliament, European Council, Council of the European Union, Court of Justice of the European Union, European Central Bank, European Court of Auditors), while the internal rules of procedure of the European Commission do not formally define its language regime.

The language regime of bodies and agencies is sometimes not specified, is often unclear, does not follow a comparable structure, and relies most of the time on implicit rules and practices. However, all principles laid down in Regulation No 1 should apply to EU bodies and agencies, unless the regulation setting up a body or agency explicitly provides otherwise. Moreover, as a matter of good administration practice, as the Ombudsman recommends, it would be preferable to define a language regime explicitly. Indeed, if the internal language regimes were better defined for some bodies and agencies, it would be easier to verify their implementation and compliance with Regulation No 1.

The transparency of EU communication could be improved if the policy concerning the use of languages on the websites was defined more explicitly in line with guidance by the European Ombudsman, and if the internal language regimes of the institutions, bodies and agencies were clearer about the rules to be applied to the internal working documents published on their websites.

5 A MULTILINGUAL NEEDS TYPOLOGY

KEY FINDINGS

- Multilingual communication on EU websites operates in a legal grey area due to the absence of formal regulatory obligations, despite the crucial and increasing importance of EU websites for the dissemination of information.
- Website communication does not fit readily within the formal legal categories provided by Regulation No 1, such as the distinction between internal and external communication or the 'specific cases doctrine'.
- The traditional distinction between a legally binding act – or act creating rights and obligations – and a non-legally binding act could be adapted to website contents and especially to soft law content.
- Publication of contents that have substantive effects either on rights and/or obligations of citizens (soft law), EU businesses and national authorities, or programmes or specific calls directly funded by EU institutions are specific contents. Hence, they can be categorised as what we call "Primary documents".
- Primary documents are at the cornerstone of the multilingual needs typology because it is based on the idea that they should fall under the protective legal umbrella of multilingualism obligations.

5.1 Introduction

Multilingual communication on EU websites is not legally regulated despite its crucial and increasing importance for the dissemination of information by EU institutions, bodies and agencies. There are no regulations or formal rules specifically dedicated to EU institutions, bodies and agencies communication through websites**.** The CJEU case law on website publication deals mainly with the issue of the starting point of the period laid down for instituting proceedings against decisions of an Agency that were never published in the OJ but on its website. Similarly, the role of multilingual website communication within the linguistic regime of EU institutions is characterised by a lack of formality and absence of clear criteria. Consequently, website communication operates in a legal grey area. This Chapter shows that there is a need for a common framework and standards for multilingual communication through EU websites, which could be promoted through greater formality and delimitation of this grey area.

The chapter and argument proceed as follows. Website communication can undermine the multilingual publication obligations of Regulation No 1 (Section 5.3), even though website communication does not fit within the formal legal categories provided by the regulation (Section 5.4). To regulate information disseminated via the internet, it is argued that the traditional distinction between legally binding act – or act creating rights and obligations – and non-legally binding act could be adapted to website contents and especially to soft law provisions and contents with effects on citizens' rights. Finally, to further specify and delimit this grey area in multilingual communication, a typology is elaborated following a so-called 'substantive approach' that distinguishes variations in multilingual needs based on legal formal arguments and on reasoning about the substantive effects of language policy choices (Section 5.5).

5.2   Methodology

This chapter draws on legal sources (primary and secondary law, case law of the CJEU), and on legal literature to analyse the relationship between OJ publication (legal obligation to publish in 24 languages) and website communication (no formal obligation under Regulation No 1) and to understand where website communication stands in Regulation No 1. Legal interpretation built on current positive law is offered, especially when the legal context is not stable or clear, or if there are gaps. Drawing both on this legal approach and on the analysis of the type of content of the documents published by the EU, this exploratory research provides a new multilingual needs typology.

5.3 Website communication and publication regime

5.3.1   Publication and Regulation No 1

Article 297 (1) TFEU provides that legislative acts shall be published in the Official Journal and Article 297 (2) that, among non-legislative acts "Regulations and directives which are addressed to all Member States, as well as decisions which do not specify to whom they are addressed, shall be published in the Official Journal of the European Union". Apart from Article 297 TFEU, 249 (1) TFEU provides for the publication of the rules of procedure of the Commission. Also, other documents are under the obligation to be "published" (in the OJ or not), such as a general report on the activities of the Union by the Commission (Article 249 (2) TFEU) or certain documents of the Court of Auditors (i.e. statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions and the annual report after the close of each financial year) which have to be published in the OJ (Article 287 TFEU). By virtue of Article 232 TFEU, "the proceedings of the European Parliament shall be published in the manner laid down in the Treaties and in its Rules of Procedure". Article 132 TFEU provides that the European Central Bank may decide to publish its decisions, recommendations and opinions, with no reference to OJ.

As provided by Article 5 of the Regulation No 1, multilingualism obligations apply to publication in the OJ, and the OJ has to be published in the 24 official languages. Electronic editions of the OJ (e-OJ) published after 1 July 2013 are authentic, i.e. have legal force (See Regulation (EU) No 216/2013). Eur-lex website states that there are two series in the OJ: Series L (legislation); and Series C (information and notices). But the Publication office presents the OJ as consisting of three series: L series (Legislation); C series (Information and Notices); and S series (Supplement to the Official Journal of the European Union). The latter is available on the internet (TED database).

Table 3: Overview of the OJ series and subseries

Series	Date of creation	Content	Comment
L	1952	1st category: Legislative acts[61] 2nd category: Non-legislative acts: - binding acts not legislative [not following any legislative procedure] such as international agreements, Regulations, Directives, Decisions[62] - **non-binding acts** such as Recommendations and Guidelines, and also rules of procedure, acts adopted by bodies created by international agreements and interinstitutional agreements.	See Article 297 TFUE : "Legislative acts shall be published in the [OJ]" (Article 297(1) TFEU) Among non-legislative acts, "Regulations and directives which are addressed to all Member States, as well as decisions which do not specify to whom they are addressed, shall be published in the [OJ]" (article 297(2) TFEU). The publication of legal acts in the OJ is a prerequisite for enforceability of legal acts (*CJEC judgment Racke, 1979,* and *CJEC judgment Skoma-Lux, 2007*, C-161/06).[63] Some acts of general application are not published in the OJ but on the website of the relevant Agency (CJ judgment PPG and SNF v ECHA, 2013, see above, chap 3, 3.4.4).
C	1968	Part I: Resolutions, recommendations and opinions, Part II: Information such as Interinstitutional agreements, Joint Declarations, Information from European Union institutions, bodies, offices and agencies, Part III: Preparatory acts adopted by the institutions, bodies, offices and agencies, Part IV: Notices from European Union institutions, bodies, offices and agencies, notices from Member States and notices concerning the European Economic Area Part V) called "announcements" about a) Administrative procedures (b) Court proceedings (c) Procedures relating to the implementation of the common commercial policy (d) Procedures relating to the implementation of competition policy (e) Other acts.	Subseries CA (e.g. C019A), with the same number as the C series published on the same day, contains calls for expressions of interest, vacancy notices: CA editions may appear in one, several or all official languages.
S	1978	European public procurements Initially published in the OJ	"Information about every procurement document is published in the 24 official EU

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[61] According to Article 289 of the TFEU, legislative acts are decisions adopted under the ordinary or a special legislative procedure. In certain specific cases defined in the treaties, legislative acts may include acts adopted: on the initiative of a group of EU countries or of the European Parliament; on a recommendation from the European Central Bank; or at the request of the Court of Justice or the European Investment Bank.

[62] Regulations are legal acts defined by Article 288 of the TFEU. They have general application, are binding in their entirety and are directly applicable in all European Union Member States. A directive is a legal act adopted by the EU institutions addressed to the EU Member States and is binding as to the result to be achieved. A decision is a binding legal act that either may be of general application or may have a specific addressee.

[63] CJEC judgment Racke, 98/78 [1979]. Available at : https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A61978CJ0098 ; CJEC, CJ judgment Skoma-Lux, C-161/06 [2007]. Available at: https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62006CJ0161

		Since 2003, the S series is found in the TED database. TED (Tenders Electronic Daily) is the online version of the 'Supplement to the Official Journal' of the EU, dedicated to European public procurement.	languages. All notices from the EU's institutions are published in full in these languages" (see TED website). But the TED database follows also its own rules and practice concerning the use of language by each country. As a general rule, tenders for **public contracts that fall under EU rules must be published** in TED portal. In TED the **basic information** for tenders is available in all official EU languages.

Source: own elaboration drawing on EUR-Lex and TED database

Article 5 of Regulation No 1 applies to the whole OJ, with no distinction between the series and subseries. However, as indicated on the EUR-Lex website, "subseries CA (e.g. C019A), which has the same number as the C series published on the same day (for example C019A), […] contains calls for expressions of interest, vacancy notices, etc. which may appear in one, several or all official languages". Concerning the TED database, the use of language differs for each country i.e. tenders open to companies from other countries can be found in the home language exclusively if the domestic portal does not use a multilingual feature on the TED system. One question is why the CA edition does not fall under the scope of multilingualism obligations. The same question can be raised concerning the S series which provides for multilingualism only for basic information.

Most importantly, **soft law lacks a clear legal framework for (multilingual) publication**. Soft law rules present two features (See infra 5.5.3). First, they do not themselves generate direct rights or impose direct obligations for their addressees. Their purpose is to modify or influence the action of the subjects they are addressed to. Second, they present, through their content and their mode of elaboration, a degree of formalisation and structuring which resembles the rules of hard law. Soft law acts are generally published in the C Series but Recommendations and Guidelines can be published in the L Serie. This shows the leeway given the institutions concerning the publication of soft law. Moreover, the practice to publish in the OJ or not seems to be driven by the purpose of this publication, i.e. the need for the addressee of this act to be informed, and is not linked to the entry into force of the legal instrument (Dero 2017). The same can be said concerning legal preparatory work: while Green and White Papers are often multilingual, and most of the European Commission proposals are accessible on Eur-lex in all official languages, some Green and White Papers, Communications or Guidelines and most of the Staff working documents are not.

5.3.2   Where does website communication stand?

The next issue is the critical question on the status of website communication as a form of publication. As Article 5 of Regulation No 1 formally applies only to publication in the OJ, the definition of "publication" merits further assessment. Considering that *"an act adopted by a [European Union] institution […] cannot be enforced against natural and legal persons in a Member State before they have the opportunity to make themselves acquainted with it by its proper publication in the Official Journal of the European Union"* (CJEC, Skoma-Lux, C-161/06 [2007], par. 37),[64] could this reasoning be applied to publication in general, which could then include any public communication, especially on a website? Does the Official Journal still have the same central role since the development of the internet, which was already integrated in the CJEU case law (CJ judgment PPG and SNF v ECHA, 2013 par. 31 and GC judgment Bilbaína de Alquitranes and o. v ECHA, 2013, par. 31, see Chapter 3), and considering that

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[64]   CJEC judgment Skoma-Lux, cit.

each institution, body, or even individuals within these organisations publish in such a fluid and easy manner? Lastly, why would the Commission enact a Communication or Guidelines if the concerned stakeholders are not informed? In that context, it must be underlined that the Official Journal still has the advantage of being less fluid and giving more (legal) certainty to the information provided.

5.3.3   The need for delimitating the 'grey area'

EU institutions and bodies choose to publish soft law in the OJ to make it known, as they do when they publish a document directly on their website. For example, the "Staff Working Documents" (impact assessments, summaries of impact assessments, staff working papers) are never published in the OJ. However they can be found on the website of the Commission in the policy pages, on the Regulatory Scrutiny Board website or on EUR-Lex, with no multilingualism obligation applying to them. Green Papers provide a similar example. A Green Paper is defined by EUR-Lex as a document published by the Commission to stimulate discussion by stakeholders on given topics at European level. Green Papers may give rise to legislative developments that are then outlined in White Papers and their publication seems also to be implemented in a random manner. Green Papers of the Commission are often published on Eur-lex but not in the OJ (such as the Green Paper on the Protection of minors and human dignity in audiovisual information services (COM(96) 483 final); the Green Paper on the Protection of Utility Models in the Single Market (COM(95) 370 final); and the Green Paper Strengthening mutual trust in the European judicial area – A Green Paper on the application of EU criminal justice legislation in the field of detention (COM(2011)327 Final)). In the same vein, the COM documents - which includes "Proposals and other acts adopted in the framework of a legislative procedure" and "communications, recommendations, reports, white papers, green paper" (EUR-Lex) - does not seem to follow a specific logic in terms of publication.

Publishing on a website provides substantial leeway to EU institutions to publish in different languages. They can adopt documents outside the scope of Article 5 and are, from a formalistic perspective, free from multilingual obligations. However, if website communication is taken seriously, as the CJEU already did concerning the right of the applicants to a court, there is arguably a need to organise better the content of EU institutions, bodies and agencies' websites in light of multilingualism obligations.

5.4   Website communication and the language regime of Regulation No 1

5.4.1   Internal and external communication in Regulation No 1

Article 1 of Regulation No 1 provides that "the official languages and the working languages of the institutions of the Union shall be [the 24 recognised languages]". This phrase has been interpreted as introducing a distinction between "working languages" and "official languages" and as setting the rule that only external communication should be made in all 24 official languages (Labrie, 1993, 82; Fenet, 2001, 239; O'Regan, 2010, 117). By contrast, there is no operational legal distinction between working languages and official languages (Cosmai, 2014; Sommssich, 2016). First, the text provides that the working languages are the 24 official languages. Potentially, the institutions, bodies and agencies could work in any of these 24 languages. Second, the Treaty establishing the ECSC did not distinguish between working languages and official languages. Third, all the external communications do not have to be made in all the 24 official languages. However, the term "working languages" is widespread. Operationally, "working languages" can be considered as synonymous with "internal communication languages". Indeed, a close reading of Regulation No 1 shows that this act distinguishes between internal communication language and external communication language (Table 4).

Table 4: **Internal and external communication in Regulation No 1**

Regulation No 1	Relevant content	Relation to internal communication	Languages rules
Article 1	Reference to the "working languages"	Working language and internal communication language can be considered as synonymous	Textually, the working languages can be any or all the 24 languages
Article 6	Sets out language arrangements in specific cases	Internal communication is covered by the principle of institutional autonomy (Shuibhne, 2002, 126)	Each institution may choose its internal communication language (see Chapter 4)
Regulation No 1	Relevant content	Relation to external communication	Languages rules
Articles 2 and 3	Direct communication with Member States and their citizens in their official language	They refer to some aspects of the external communication of the institutions	24 official languages
Article 5	Publication of EU Law in the 24 official languages in the Official Journal of the European Union	Thanks to official publication, a text is brought to the attention of addressee and citizens	24 official languages

Despite these two separate legal regimes, the distinction between internal and external communication is far from clear-cut, and "the internal language regime cannot be entirely dissociated from the rules governing external communications of the institutions" (AG Maduro, CJEC Case Kingdom of Spain v. Eurojust, 2004, par. 47).[65] Academics also demonstrated that the choice of working language has an impact on external communication (Shuibhne, 2002, O'Regan, 2010, van der Jeught, 2020). Moreover, website communication does not fit neatly into either category.

5.4.2   Where does website communication stand?

In practice, working languages are not limited to purely internal questions, but are used on the websites of the EU institutions and bodies with respect to news, publications of various types and guidelines. In other words, documents used internally often end up being posted on the websites. Hence, many documents available in the working language only are made available to the public (that is, *published*) in that language only. As analysed in Chapter 4, some agencies clearly stated that the use of English as a working language has a direct impact on their website communication policy. Furthermore, the Ombudsman pointed out that internal documents, because they exist only in the language in which they were drafted, can be published in that language (*EO, dec. 3191/2006, inquiry*). Hence the Ombudsman links dissemination with internal drafting.

On the basis of established law, website communication is not covered by multilingualism obligations. Indeed, website communication is not referred to in Regulation No 1 nor in the provisions of the Treaty dedicated to direct communication with the citizens and therefore, from a formalistic perspective, falls

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[65]   AG Maduro Opinion in CJEC judgment Spain v Eurojust, C-160/03 [2005]. Available at:
https://curia.europa.eu/juris/document/document.jsf?docid=49769&doclang=en

outside the remit of EU Law. As noted (see Chapter 3), the **Court has expressly rejected the existence of a general principle of EU law that confers a right on every citizen to have a version of anything that might affect their interests drawn up in their language in all circumstances** (CJEC judgment Kik v OHIM, 2003, par. 82).[66] More specifically, Article 6 is interpreted by legal scholars as allowing every institution to lay down its own language regime, in particular but *not exclusively* with regard to purely internal matters (van der Jeught, 2021). Indeed, "it does not appear evident why 'specific cases' would be limited to internal communication" (O' Regan, 2010).

Furthermore, Regulation No 1 refers only to direct communication between EU institutions and an EU Member State or "a person subject to the jurisdiction of that State" (Art. 2 and 3). The publication of legislation (Art. 4) or any information published in the Official Journal (Art.5) does not refer to dissemination outside the Official Journal. It is only if we follow this restrictive and formalistic interpretation of Regulation No 1, that **the "specific cases doctrine" could be understood as being applicable to external communication, such as information available on websites**, media, public consultations or even communication with national administrations, giving important leeway to the institutions, bodies and agencies. However, the approach taken in this study looks at the substance of publications' content, and it considers that some website communication contents fall within the remit of multilingualism obligations.

5.4.3   Towards a multilingual needs typology

The flexibility granted to EU institutions with respect to multilingual communication on websites clashes with practical realities and does not consider the massive change in the communication world. The Regulation No 1 was written before the internet existed and was never updated to take into account the transformations resulting from the wide use of digital technologies. In the same vein, the CJEU adapted texts which were referring to publication in the OJ to the new digital reality (see above, Chapter 3). The development of the internet, the intense publication activity of EU institutions, agencies and bodies or even individual MEPs blurs the distinction between working/internal language and some aspects of external communication language regulated by Articles 2, 3 and 5 of Regulation No 1. As noted above, **there is a clear lack of logic in considering website communication as part of the specific cases doctrine, which is restricted to internal communication**. Other scholars such as Herbillon (2003) go further, arguing that it is a violation of linguistic rights that websites of EU institutions are sometimes available only in English. Websites make information public and external. The very Latin roots of the word "communication" imply externality and sharing (i.e. to have in common). In that sense, communication involves dissemination and is often interpreted as involving two-way exchanges with an external actor. The CJEU even considered that rules of general application are legally "published" on an Agency website, in order to protect the application right to a Court (see above Chapter 3).

Legally, **we also argue that EU institutions, bodies and agencies should enjoy only a limited discretion for implementation of their communication policy**. Different legal arguments favour this view. Following a literal interpretation approach and the rationale of Regulation No 1, Article 6 of Regulation No 1 is a derogation to the principle of multilingualism (Clément-Wilz, 2022 b). Following interpretative rules of law, it should be interpreted narrowly. Further, a case could be made for a functional (or teleological) interpretation based on the goals of the EU as provided in Article 3 TEU, in order to take into consideration linguistic diversity and citizens' needs. In that sense, the specific cases doctrine could be interpreted in a narrower way than has been followed till now by the CJEU. Indeed,

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[66]   CJ judgment Kik, cit.

"they must not be allowed to use it otherwise than for the purposes of their internal operational needs" (AG Maduro, CJEC Case Kingdom of Spain v. Eurojust, 2004, par. 49). The autonomy of EU institutions is a derogatory status and could be more restricted. Finally, and most importantly, looking at the substance of the website, some contents appear to fall under multilingualism obligations. As regards the Commission's publications and communications intended for the public, the Ombudsman referred to Article 2 of Regulation No 1 noting that **in order for external communication to be effective**, it is necessary that citizens understand the information provided to them (see also Chapter 7). Therefore, ideally, the material intended for citizens should be published in all the official languages (*EO, decis. 3191/2006, pt 2.6*). Furthermore, as demonstrated in the previous section, some website contents fall under Article 5 of Regulation No 1 multilingualism obligations concerning publication in the OJ.

5.5 Delimiting the grey area: A substantive approach

5.5.1   Explanation of the typology

Given the increasing importance of EU websites for institutional communication and dissemination of information, it is important to focus on the substantive content of websites. As shown in Chapter 7 of this study, there is currently no common language in the EU which is understood by the majority of the population, and none of the 24 EU languages is spoken at a native or proficient level by more than 20% of EU residents. A monolingual approach in website communication, therefore, is arguably ineffective and highly exclusionary.

To overcome the problem of the absence of a formal legal framework dedicated to digital communication, this section provides suggestions about how to develop a **realistic framework and standards for multilingual communication on websites that can be compatible with budget constraints**. It elaborates a multilingual needs typology following a so-called 'substantive approach' that distinguishes variations in multilingual needs based on legal formal arguments and on reasoning about the substantive effects of language policy choices.

Box 5: Four logical steps towards a multilingual needs typology

1) EU legal provisions entrust EU citizens, business and Member States with some linguistic rights.

2) These rights should be respected also when publications are made on websites.

3) Institutional websites should be covered by some multilingualism obligations.

4) A substantive approach helps to define the typology used to classify and analyse EU website content in order to find a balance between the need for multilingual communication and budget constraints.

We propose a multilingual needs typology organised according to three classes or "types" of 1) Core documents 2) Primary documents and 3) Secondary documents. These three classes or "types" include different types of content available on EU websites presented in Chapter 6. A more detailed description of primary documents is provided later in this chapter. In this brief summary, we define the three types as follows (Box 6).

Box 6: The multilingual needs typology

Core documents include firstly all documents that are formally legally binding, that have legal effect ("hard law"), and that relate to recruitment notices. These documents must be translated by virtue of provisions in the Treaties, Regulation No 1 or the case law of the CJEU, as explained above in Chapter 3. This type includes for example documents published in the Official Journal, part L and case Law of the Court of Justice of the European Union. Secondly, this category includes European Citizens' Initiatives, petitions to the European Parliament, appeals to the European Ombudsman, and replies to letters of citizens, as multilingualism applies following articles 24 and 20 of the TFEU and the Regulation on European Citizens' initiative. These four types of documents are under this category because they might be submitted in any of the official languages. The lack of multilingualism (e.g. lack of accurate translations) will constitute a formal and severe infringement of equality and rules in force.

Primary documents include documents that are not formally legally binding and documents under no formal multilingualism obligations. As explained above (section 5.4), websites are primarily an external communication tool and can contain documents with substantive effects either on rights and/or obligations of citizens, EU businesses and national authorities (soft law), or programmes or specific calls directly funded by EU institutions or legal preparatory documents. This type includes, for example, calls for tender and project proposals; documents concerning state aid guidance; communications and recommendations for instance concerning state aids, food safety or medicinal products. In this area, the institutions seem to have a certain degree of flexibility and leeway: they can choose to publish in the OJ, part C, which involves the application of full multilingualism, as provided by Article 5 of Regulation No 1, or chose not to do so. Therefore, lack of accurate multilingual communication in these documents can potentially constitute an infringement of multilingualism obligations. Indeed, Article 6 shall be interpreted narrowly, and some contents could fall under multilingualism obligations of Article 2 to 5, as explained above (section 5.4.3). They can also have a substantive impact on equality between citizens.

Secondary documents include documents that are not formally legally binding, that do not need to be translated or interpreted by virtue of provisions in the Treaties or Regulation No 1 or the case law of the CJEU, and that do not have, in general, substantive effects either on rights and/or obligation of citizens, EU businesses and national authorities and that do not involve programmes or specific calls directly funded by EU institutions. A simple example is informative webpages about the history of EU institutions or interviews with EU Commissioners. Secondary documents comprise a residual category where multilingualism obligations do not and should not apply. This does not imply that these documents are unimportant from an informative or symbolic point of view, but only that lack of accurate translation or interpretation entails less significant consequences for equality than for core and primary documents. The adjective "accurate" is used here on purpose. For secondary documents, the application of machine translation to written documents or to subtitles automatically generated by a computer during an oral speech can produce multilingual documents at a cheap cost, and where lack of accuracy may be easier to accept and justify.

Primary documents are the cornerstone of the multilingual needs typology, which should fall under the protective legal umbrella of multilingualism law for the reasons explained above. Indeed, there is no discussion but also less room for (human) error concerning core documents and secondary documents. Core documents rely on clearly stated obligations of multilingualism. Current multilingualism obligations stem form primary law, secondary law and case law. Secondary documents

are a residual category where multilingualism law does not and should not necessarily apply, and where the application of machine translation (see Chapter 8) does not raise problematic issues.

5.5.3   Primary documents at the cornerstone the multilingual needs typology

Documents available in the working language are often accessible only in this one language. It can be argued that it is better to have access to an internal document in only one or in a few languages than no access at all (European Ombudsman, dec. 281/1999, par. 5). Although the European Ombudsman recognised the flexibility of each institution to publish on its website, "documents in the language in which they are drafted", it also put emphasis on a general trend towards a "progressive development of the provision of information on its website in the other Community languages" (Ibid. par. 4). However, it did not consider the practice of the ECB to publish information mainly in English on its website as maladministration. The problem is that, once published, these documents create the same effects as soft law, as published in the OJ would do: legitimate expectation and need for legal security. **There is a clear mismatch between the law as established and interpreted and the linguistic arrangements of the institutions as far as internet communication is concerned.** Accordingly, we argue that there is a need to go beyond this formalistic approach and to consider the substance of the websites and especially soft law, preparatory legal acts and documents with substantive effects on citizens.

Under a less formal point of view, multilingualism is essential for the effective exercise of the citizen's democratic right to become informed about matters and issues that may lead to legislative action (European Ombudsman, 640/2006, pt 29), contribute to EU's legitimacy (Kraus, 2011) and facilitate the interaction between the institutions and EU citizens (Athanassiou, 2006). Some citizens' rights can be exercised in the official language of their choice (Articles 2 and 3, articles 20 and 24 TFEU, and citizen initiative) requiring access to the content in this same language.

Primary documents encompass soft law, but also, for the reasons explained here, calls for expression of interest, public consultations, calls for tender, procurement procedures, project proposals, legal preparatory documents and documents concerning state aid guidance.

a.   Soft Law

Soft law norms combine three elements: normative value, which corresponds to the legally binding character of the norm; the normative guarantee, i.e. the existence of mechanisms of control and sanction of the respect of the norm; and the normative scope, which describes its effective application by the concerned actors (Abbott et al. 2000). According to the definition of soft law given by the French *Conseil d'Etat*,[67] soft law rules present the following fundamental features: they do not by themselves generate direct rights or impose direct obligations for their addressees, but their purpose is to modify or influence the action of the subjects they are addressed to; they present, by their content and their mode of elaboration, a degree of formalisation and structuring which resembles the rules of hard law. Accordingly, the distinction between hard and soft law is not always accurate. For this reason, soft law should be taken seriously.

Within the EU legal order, soft law has expanded rapidly over time (Clément-Wilz, 2015). As stated by the CJEU, the normativity of a legal act, which formally is not supposed to produce law, depends on whether it "merely explains the provisions of the treaty", or whether "it is intended to produce legal effects of its own, distinct form those already provided for in the treaty". The CJEU recognised the

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[67]   Conseil d'Etat, Le droit souple, 2013, p. 9. Available at: https://www.vie-publique.fr/rapport/34021-etude-annuelle-2013-du-conseil-detat-le-droit-souple

capacity of the EU institutions to impose a legal framework using alternative types of acts such as guidelines (GC judgment Germany v. Commission, 2010, par. 151).[68] Consequently, the European institutions and bodies cannot use an equivocal terminology to avoid from competence and procedural rules when enacting an act. We argue that **this rule applies to acts published on the websites of these institutions**. It is the substantive content of soft law that matters, and not the technical instruments used to make it available to the public.

EU institutions and bodies' websites do in fact contain contents that can be characterised as soft law, but they do not need to be communicated in all the 24 languages, as provided in Article 5 of the Regulation No 1. Whatever their publication status, i.e. whether they are also published in Part C of the OJ or not, **soft law published on EU institutions' websites should benefit from the obligation of multilingualism and hence fall under the Primary documents category**.

b. Calls for expression of interest

The European Ombudsman confirmed that Article 2 applies to the calls for expressions of interest (*EO, decis. 259/2005, pt 5*) and that any limitation of this right must be based on valid reasons, necessary for the attainment of the legitimate aim pursued and proportionate (*Ibid., pt 7*). It also considered that a general limitation of the languages that can be used when submitting proposals would require a decision to that effect of the legislator (*Ibid., pt. 3.15*).

c. Public consultations

Concerning public consultations, the European Ombudsman also held that, whereas ideally speaking all external communication should take place in all official EU languages, this becomes an essential precondition when communication is a means to enable citizens to participate in the decision-making process (*EO, dec. 640/2011, pt 28-29*). In 2012, the European Parliament urged the Commission to ensure that public consultations are available in all EU official languages (EP resolution of 14 June 2012 on public consultations and their availability in all EU languages, par. 2).

d. Calls for tender, procurement procedures, project proposals, legal preparatory documents and documents concerning state aid guidance

The lack of timely translations of these documents can have substantive effects on the equality between citizens, EU businesses (especially small and medium-sized enterprises), non-governmental organisations, and national authorities that are interested in accessing funding programmes by EU institutions through the EU budget. Transparency and fairness in the conditions of participation require that all relevant applicants are on an equal footing. We include these types of documents among "primary documents" by virtue of a general principle of equal treatment of stakeholders, in particular those who may lack resources to bear private translation costs to understand EU documents. Concerning state aid guidance, multilingualism is needed to ensure fairness and transparency in competition among businesses across the EU.

5.6 Conclusion

Multilingualism obligations apply explicitly only to "Regulations and other documents of general application", publication in the OJ and to direct communication of EU institutions with Member States and persons subject to their jurisdiction or European citizens. In practice, communicating on a website

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[68] CJEU, GC judgment Germany v. Commission, T-258/06 [2010]. Available at:
https://curia.europa.eu/juris/document/document.jsf?text=&docid=80961&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=1306035

provides substantial flexibility to EU institutions to publish in languages of their choice, raising a definitional question about what "publication" means. They can disseminate content and documentation without applying multilingual publication obligations. However, the current treatment in the legal literature of website communication by institutions, bodies and agencies as internal communication is not underpinned by a clear rationale or logic. **The margin of flexibility left to EU institutions should be interpreted narrowly and a substantive approach focused on the types of website content is needed to implement multilingualism obligations.**

Because of the lack of legal formalism, from both the institutions and bodies and the case law of the CJEU, it is necessary to look at the substantive content of the websites. This 'substantive approach' distinguishes variations in multilingual needs according both to the legal substance (soft law) and the substantive effects of the contents of communication. In summary, we define a multilingual needs typology including three types as follows: core documents; primary documents; and secondary documents. While a multilingual regime should be applied to the first two types of documents, the use of few languages (possibly accompanied by the possibility of using machine translation) is acceptable for the third.

6. MAPPING MULTILINGUALISM ON EU WEBSITES

KEY FINDINGS

- This chapter maps the current level of multilingualism of the websites of EU institutions, bodies and agencies drawing on a content classification scheme and multilingual needs typology, and based on analysis of over 1.5 million webpages on 13 websites.
- In terms of multilingual performance, six EU websites score well above the mean of the 13 websites that were analysed (Court of Justice of the European Union, Council of the European Union/European Council (shared website), European Court of Auditors, European Parliament, European Agency for Safety and Health at Work and the European Ombudsman).
- A second cluster of websites have a mid-range performance and include the European Commission (closest to the mean of EU websites), and the European Chemicals Agency and the European Committee of the Regions (both with lower scores).
- The last cluster encompasses four websites that perform poorly and have low availability of multilingual content (European Central Bank, European Economic and Social Committee, European Food Safety Authority, European Union Agency for Fundamental Rights). Some of these sites are committed to introducing machine-translated content to many of the webpages and sections.
- An alternative multilingual index that only looks at the total volume of webpages, without taking account of differences across the content categories, increases the performance of two websites marginally (the European Parliament and the European Union Agency for Fundamental Rights) but reduces the performance of the majority of websites, very dramatically in some cases such as the European Ombudsman.

6.1 Introduction

EU websites play a crucial and increasingly important role in the dissemination of information by EU institutions, bodies and agencies to target audiences, especially to external stakeholders and the general public. However, comparative research assessing the multilingual content of EU websites is lacking. This chapter maps the level of multilingualism of EU websites by applying a multilingual metric to 13 EU websites with multilingual content. The next section sets out the methodology, data and caveats (see also Annex 2 for technical details). The empirical analysis begins by presenting the metrics, reviewing the results of the analysis for each of the entity websites independently, before presenting comparative results across the websites of EU institutions, bodies and agencies.

6.2 Methodology

The core methodological and empirical task involved checking whether the EU websites URLs in the default language were available in all the official languages. The methodology employed, including the formulae used for constructing the **multi-lingo indices** developed by the team for measuring the availability of multilingual content, is detailed in Annex 2. The empirical analysis involved assigning to each default webpage (URL) that was extracted from an EU website a binary outcome, where "1" means

the content was available in the target language (i.e. one of the official EU languages) vs. "0" which indicated the content was not available in the target language. The mean score of summing all of these results, which can be done at various levels such as the section of a website or the overall website, provides a simple indicator for evaluating the level of multilingualism. It can be thought of as the average proportion of documents (web pages) available in the official languages of an entity's website defined mathematically in Annex A2.3. As will become clear below, there are two metrics used for calculating the average scores. The first metric looks at the total volume of webpages and ignores any grouping in the data, such as the fact that a website has different content sections. This is referred to as the "ungrouped" average. A second metric takes into account group differences, such as the scores across different content sections of a website, when calculating scores and is referred to as the "grouped" average.

The multi-lingo indices were applied to each EU website following a common content classification scheme and, for the EU institutions, its associated multilingual needs typology. The first step involved harmonising the different sections of the EU websites according to a common scheme in which the **content** was classified as follows:

- *About/Organisation*: Organisational information such as structure, role in EU decision-making, policy responsibilities, how to contact, website policies.
- *Policies*: Sections dedicated to EU policies or groups of policies.
- *News/Events/Speeches*: List pages containing news, event or speech items.
- *Funding tenders.* Sections dedicated to funding opportunities and calls for tenders.
- *Recruitment*: Job vacancies and opportunities; information on ongoing selection procedures; and information about careers, recruitment, traineeships.
- *Documentation*: any documentation, publications, resources, including laws, studies, evaluations, statistics, information brochures, infographics, factsheets, laws, other resources.
- *General Information*: General information that is not in the other categories, including very general information on policies (e.g. information on many policies and portal/gateway pages).
- *Citizens*: This refers to public engagement including consultations on any EU policy or issue, petitions to the European Parliament, replies to letters of citizens, citizen's initiative, appeals to the European Ombudsman, public consultations on any EU policy or issue.
- *Meetings/committees*: Formal official EU meetings and committees dealing with policymaking separate to the standard event lists on websites.

From the content scheme above it was possible, in a further exploratory step, to derive the specific multilingual needs from the typology elaborated in Chapter 5, which makes a distinction between "core", "primary" and "secondary" documents. Table 5 presents an overview of how the content sections map onto the Multilingual Needs typology. In some cases, the mapping is straightforward because some types of content have a dedicated and visible web section that corresponds to the typology, e.g. calls for tenders that we classified as "primary" type of documents. In others there is an obligation of multilingualism based on case law, for example in the case of recruitment notices (see Chapter 3), which explains why the web section classified as "Recruitment" is considered as mainly "Core". For web sections that contained a mixed combination of core, primary and secondary content (e.g. Policies, Documentation, and Citizens sections), a manual check was employed to assign a unique needs category. This check applied a 'gravitational' rule following a precautionary logic: if a webpage contains at least some core or primary content, then it gravitates towards core (or primary) even if secondary is

predominant.[69] Note that in the case of an EU institution that is involved in the policymaking process a website section may report material from committee meetings - particularly the EP and the Council of the European Union - that include soft law, public legal preparatory documents or documents that may affect the rights and obligations of citizens, business and Member States. It is for this reason that this type of content is coded as being part of primary documents. Recall that the language regimes of the European Parliament and the Council of the European Union contain provisions concerning the need to make available in all official languages documents that are relevant for deliberations (see Chapter 4).

Table 5: Correspondence between website content and multilingual needs

Website section content	Multilingual Needs typology		
	Core	**Primary**	**Secondary**
About/Organisation			✓
Policies	✓	✓	✓
News/Events/Speeches			✓
Funding tenders		✓	
Recruitment	✓		
Documentation	✓	✓	✓
General Information			✓
Citizens	✓	✓	
Meetings/committees		✓	

Source: own elaboration

The application of the Needs typology was a resource intensive, exploratory exercise that required the manual checking of thousands of webpages. Given the project's resource constraints, the typology could only be applied to the EU institutions, which under Art. 13 TEU have a unique legal status and are clearly the most visible EU websites to citizens.

Turning to the sample of EU websites that were analysed, Table 6 lists the EU entities that fulfilled the inclusion criteria for the analysis and their respective volume of data (webpages checked). In total, 13 EU entities contained a sufficient degree of content in multiple languages - and satisfied the selection criteria for conducting the multilingual mapping (see Annex 2). Websites that are effectively monolingual will exhibit no variation on the multilingualism index and were therefore not mapped.

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[69] Note that in the case of an EU institution that is involved in the policymaking process a website section may report material from committee meetings, particularly, the EP and the Council of the European Union, that include soft law, public legal preparatory documents or documents that may affect the rights and obligations of citizens, business and Member States. It is for this reason that this type of content is coded as being part of primary documents. Recall that the language regimes of the European Parliament and the Council of the European Union contain provisions concerning the need to make available in all official languages documents that are relevant for deliberations (see Chapter 4).

Table 6: Volume of webpages analysed by entity in decreasing order

Entity	Number of Web pages	Percent of total
European Parliament	475,183	31.1
European Commission	266,535	17.5
European Chemicals Agency	159,409	10.4
European Central Bank	133,697	8.8
Council of the European Union / European Council (joint website)	132,371	8.7
European Court of Auditors	122,688	8.0
European Economic and Social Committee	87,654	5.7
European Agency for Safety and Health at Work	45,057	3.0
European Food Safety Authority	36,443	2.4
European Union Agency for Fundamental Rights	32,448	2.1
European Ombudsman	22,438	1.5
European Committee of the Regions	8,326	0.5
Court of Justice of the European Union	4,512	0.3
Total	**1,526,761**	**100**

All the EU institutions satisfied the multilingual content criteria for inclusion. This was not the case for the majority of EU bodies and agencies. In particular, the websites of the vast majority of EU agencies are effectively monolingual (see Annex A2.4).

In terms of the volume of data, over 1.5 million webpages were checked for their multilingual attributes. As can be seen in Table 6, with the exception of the European Chemicals Agency, the main EU institutions tend to have vastly larger websites than EU agencies and bodies. This is especially the case for the European Parliament and the European Commission, while the remaining institutions have a similar size. The one major outlier among the institutions is the Court of Justice of the European Union. Its website follows a different structure to all other EU institution websites that are housed on the Europa portal with relatively few webpages given that most of its content (e.g. case law and documentation) is housed in separate databases such as EUR-Lex, which could not be crawled.

6.3 Multi-lingo index across EU websites

The empirical analysis begins by applying the two multi-lingo metrics described in Annex A2.3 to the entire sample of EU web pages that were analysed. This yields an average (also called the "mean") for each metric. The results for the classification of Content categories across the EU websites are presented in descending order in Figure 1 and Figure 2. The scores on the horizontal axis provide a ranking of the Content categories, the higher the score, the more multilingual content was detected. As can be seen in Figure 1 and Figure 2, depending on the metric used, there are differences in the ranking of the different Content categories across the EU websites.

The first metric presented in Figure 1 is the ungrouped "average" multi-lingo score of all the web pages analysed. As noted above in Table 6, there is a wide variation in the size of the EU websites analysed with some EU websites containing nearly half-a-million web pages and others fewer than 5,000 web pages. Therefore, the (ungrouped) average multi-lingo score presented in Figure 1 **gives a greater weight to the websites with the larger volume of webpages**. In practice, this means the multi-lingo scores are largely driven by the higher volume websites such as the European Parliament and the European Commission.

Figure 1: Multi-lingo index for Content classification across EU websites

To counter this imbalance, a "grouped average" (as defined in the second metric of Annex A2.3) is also presented in Figure 2. The grouped average simply involves computing the metric for each EU website independently and then taking the average. This treats all groups (EU websites) equally. This approach is usually preferable when there are large group imbalances, as is the case with the multi-lingo dataset.

Figure 2: Grouped multi-lingo index for Content classification across EU websites
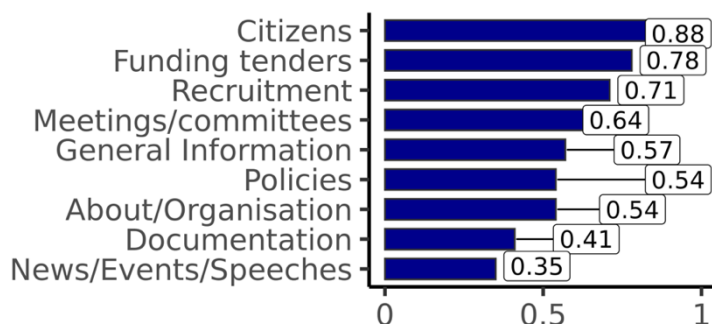
The grouped averages in Figure 2 tend to reflect a more balanced assessment of variation across the EU websites that were analysed in terms of the level of multilingualism across the different Content categories. Notably the Citizens category is ranked first, independently of the metric used. Both metrics are reported throughout the empirical analysis.

Nonetheless, given the large variations in the size of websites, **a better approach is to avoid any averaging across EU websites altogether and to analyse each EU entity's website independently**. This is the approach pursued in the mapping analysis below.

The mapping analysis is structured according to the EU protocol order in terms of the entity type, i.e. the hierarchy of institutions, bodies and agencies. However, for the within-group analysis the listing follows a substantive approach, not an administrative listing. This is because the aim of the within-group analysis is to highlight similarities and differences among websites. The mapping analysis lists the highest volume websites first, or structures the listing in an order that allows for the contrasting of the results.

6.4   The EU institutions

The EU officially has seven institutions but only six institutional websites. This is because two EU institutions, the Council of the European Union and the European Council, share the same website: www.consilium.europa.eu. These two institutions can therefore only be analysed together and are accordingly referred to as Council of the European Union / European Council. Below we present the results of the analysis of the EU's six institutional websites.
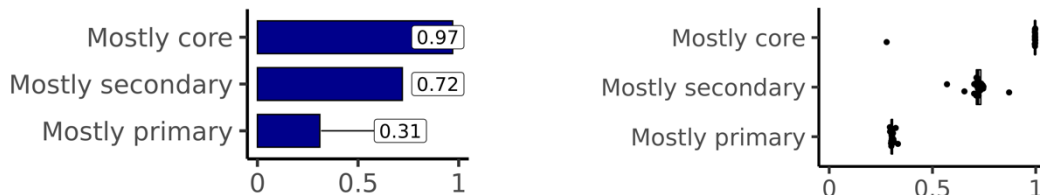
6.4.1   European Parliament

The Parliament has the largest website in the multi-lingo dataset. As can be seen in Figure 3 (panel 1), the Parliament covers a broad set of Content sections. A majority of the Content sections record virtually perfect scores on the multi-lingo index. Two sections in particular have comparatively low scores on the multi-lingo index - the "Meeting/committees" and "General information" sections. In panel 2 of Figure 3, a dot plot chart disaggregates the content sections by language. There are 23 dots representing the EU languages (i.e. English, the default language, is not included). As with panel 1, higher scores on the horizontal axis are indicative of more multilingual content.

The dot plot chart in panel 2 of Figure 3 suggests that there is little variation across languages. For instance, the three top classes (Recruitment, Policies, Documentation) have maximum scores - represented by a very tight cluster of overlapping dots. These tight clusters can be contrasted with the section for "News / Events / Speeches", which is more dispersed suggesting some variability across languages on this dimension. An interesting case revealed by the dot plot in panel 2 of Figure 3 is the "Citizens" class, which has a tight cluster of languages with the maximum scores and a solitary outlier language (Irish). It is largely because of this outlier that the Parliament's score on the multi-lingo index for the "Citizens" class is .97 rather than 1 in panel 1 of Figure 3.

Figure 3: European Parliament multi-lingo index by Content (panel 1) and language (panel 2)
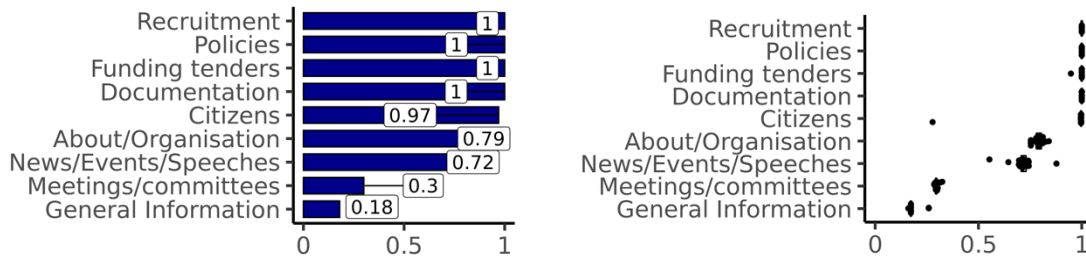
Figure 4: European Parliament multi-lingo index by Needs (panel 1) and language (panel 2)

In Figure 4, the multi-lingo scores for the three dimensions of the Needs typology are now introduced. For this typology, the highest multi-lingo scores for the European Parliament are on the dimension "Mostly core". These results are driven by high scores for some of the Content categories, such as

Citizens, Recruitment and Policies, that impact on the "Mostly core" dimension of the Needs typology. On the other hand, the Parliament's relatively poor performance for the "Mostly primary" type is a consequence of its lower scores on the "Meetings/committees" type of content. The latter is a component of the "Mostly primary" type in the Needs typology.

It is possible to aggregate the Needs typology further by collapsing the two types, "Mostly core" and "Mostly primary", as examples of content that "mostly ought to be available in all languages". Since this constitutes a single class of content a simple calculation, the average multilingual score for all webpages that "mostly ought to be translated", is a revealing statistic. In the case of the Parliament this score is very high at .89.

Overall, the Parliament offers a useful benchmark for measuring levels of multilingualism for the EU institutions. Although it supplies a vast amount of web content, it has nevertheless managed to sustain high levels of multilingualism. The Parliament's multilingual score can be measured in three ways: (a) its (ungrouped) overall average is .84 according to the measure that does not take account of the content classification scheme and thereby gives more weight to the volume of webpages; (b) its grouped average score, which gives equal weight to the various Content sections, drops a little to .77; and (c) its multilingual score for content that mostly ought to be translated, at .89, is very high. Unlike some other websites analysed below, there are no dramatic differences between these various metrics.

6.4.2 European Commission

The European Commission's website accounts for the second largest share of webpages in the multi-lingo dataset. Like the Parliament it is also well represented across different types of content as shown in panel 1 of Figure 5. The Commission website, unlike that of the Parliament, has content classes distributed across the spectrum of high, mid-range and low scores. As with the Parliament the tight clustering of languages in panel 2 of Figure 5 suggests little variation across languages in the Commission website. In other words, across the different content sections, languages tend to have similar multilingualism scores.

Moving to the Needs typology in panel 1 of Figure 6, approximately two-thirds of the webpages belonging to the "Mostly core" type that were analysed have multilingual availability. For the "Mostly primary" class it is approximately one-third. As with the Parliament, the Commission has maximum scores for the Citizens content section, which can drive the "Mostly core" score upwards.

Figure 5: European Commission multi-lingo index by Content (panel 1) and language (panel 2)
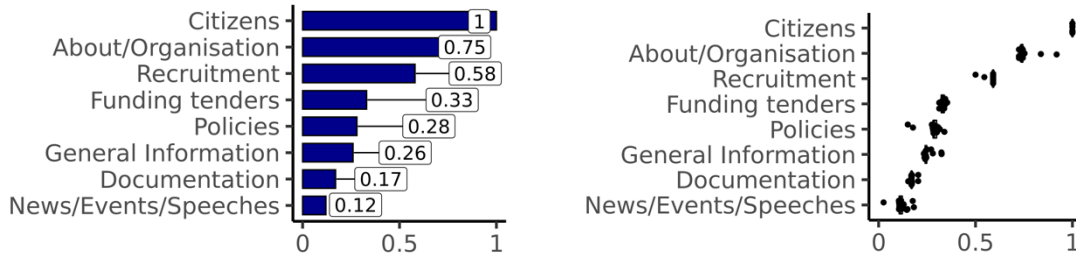
Figure 6: European Commission multi-lingo index by Needs (panel 1) and language (panel 2)

In terms of the three general metrics, the Commission has an overall average of .19 for the availability of different types of content. This is not too surprising because of the large volume of webpages that are related to the two lowest scoring content sections: "Documentation" and "News, Events and Speeches". When taking the more balanced grouped average, the score improves to .43. Lastly, the multilingual score for content that "mostly ought to be translated", is close to half of all webpages, at .46.

The very low dispersion of dots in in panel 2 of Figure 6 suggests that there is little variability among languages as regards translation. In other words, the website section is either multilingual or it is in English only. There is little evidence of frequent trilingual webpages. This implies that, as far as website communication is concerned, French and German are generally treated the same as all other languages, while the official discourse presents them as "working languages" together with English.

6.4.3   European Council and Council of the European Union

The "consilium" website houses the output of both the Council of the European Union and European Council institutions, which are hereafter referred to as the Council in the charts due to space constraints. The empirical analysis cannot distinguish between the two institutions. As can be seen in Figure 7, the multi-lingo scores for the different content sections of the Council website are typically very high. Seven of the content sections score between .9 and 1 for multilingual availability - virtually perfect scores. Only one content section, "Documentation", is below the halfway point, and the score for the "News/Events/Speeches" section suggests close to two-thirds of webpages are available as multilingual content. The tight clusters for most of the content sections in panel 2 of Figure 7 suggests very little variation across languages. Only the two aforementioned sections exhibit some slight dispersion across languages. These high scores for the various content sections are reflected in high scores for the Needs

typology in Figure 8. Across all three Needs dimensions, at least two-thirds of webpages offer multilingual content.

Figure 7: Council multi-lingo index by Content (panel 1) and language (panel 2)
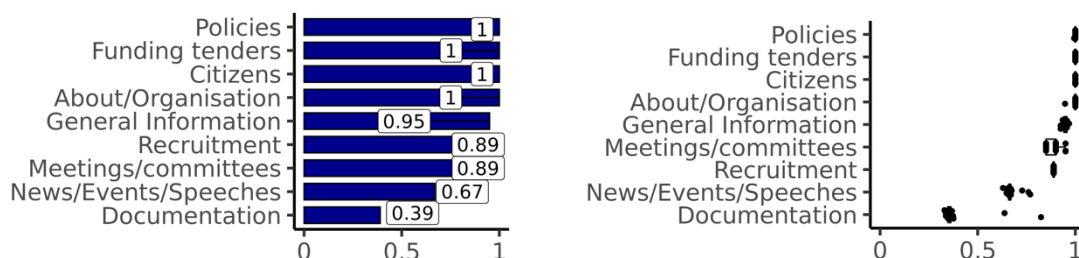
Figure 8: Council multi-lingo index by Needs (panel 1) and language (panel 2)
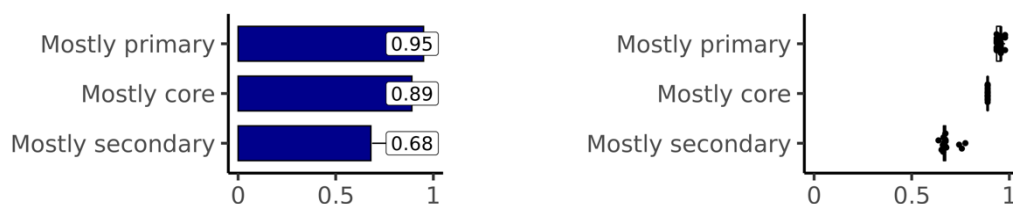
In terms of the three general metrics, the Council of the European Union / European Council website has an overall average of .68 for the availability of different types of content. This is because of the large volume of webpages that are related to the two lowest scoring content classes: "Documentation" and "News, Events and Speeches". Using the more equally balanced grouped average, the score improves to .87. With a value of .94, the multilingual score for content that "mostly ought to be translated" is very high.

6.4.4 European Central Bank

The ECB has a comparatively large website, the third largest after the Parliament and Commission. However, unlike the Parliament, Commission and Council, the ECB's scores are typically either low or very low on all metrics. As can be seen in panel 1 of Figure 9 the only content section with a degree of multilingual content is the class defined as "General Information", and even in this case the level is rather low with only roughly one-third of content available in multiple languages. The close clustering of points in the panel 2 plot of Figure 9 reveals that the low scores affect all languages. Interestingly, it also clearly identifies the outlier case of Irish in the only section - General Information - that has some degree of multilingualism.

Evidently, the very low scores for the various content sections have a direct impact on the Needs typology. The scores are highest for the "Mostly core" type, but this suggests that only about 6% of the ECB's "Mostly core" content is available in multiple languages.

Figure 9: ECB multi-lingo index by Content (panel 1) and language (panel 2)

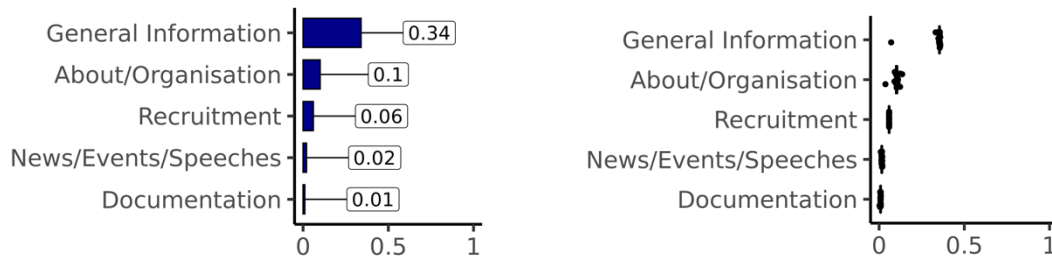**Figure 10: ECB multi-lingo index by Needs (panel 1) and language (panel 2)**
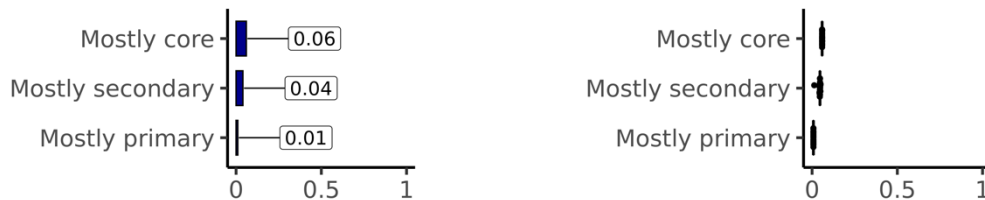
The three general metrics, offer a stark contrast to all other EU institutions. The ECB has an overall average of .04 for the availability of different types of content. There is a large improvement when using the more balanced grouped average, where the score improves to .11, albeit from a virtually zero base. Its .05 score for content that "mostly ought to be translated" is indicative of a largely monolingual website. However, the ECB has implemented a policy of machine translation for its web content. It is likely that a majority of the webpages offer a machine translation option, although testing for this was beyond the scope of this study.

6.4.5   Court of Justice of the European Union

The CJEU is a somewhat special case among the websites of EU institutions. The CJEU website has a top layer of relatively few webpages. After a few clicks, the visitor interacts with or is linked to - what is essentially a database. Most of CJEU linked content is vast and housed in specific databases such as EUR-Lex. The objective of this study is not to check databases (nor is this feasible with the study methodology). Furthermore, given the legal nature of much database content it is a reasonable assumption that if the CJEU provides a link to an official document that is required to be published in all languages and is housed in a database, then it is likely that the document is translated. It is for this reason - a shell like website that links to multiple databases - that the CJEU volume of data is the smallest among the entities studied. It is perhaps due to this that the level of multilingual content is very high for the CJEU.

The CJEU is effectively a fully multilingual website. There is virtually no variation in the maximum possible score across all Content sections that were checked as can be seen in Figure 11 and Figure 12. The CJEU scores a maximum on all metrics.

Figure 11: CJEU multi-lingo index by Content (panel 1) and language (panel 2)
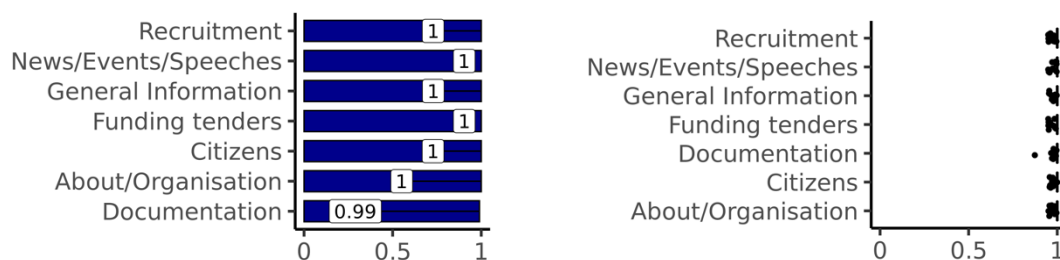
Figure 12: CJEU multi-lingo index by Needs (panel 1) and language (panel 2)
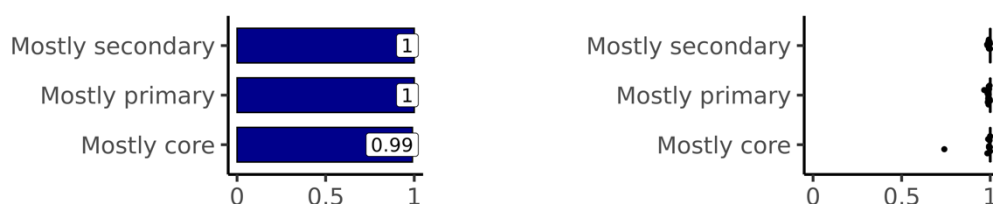
6.4.6   European Court of Auditors

The ECA is the last of the EU institutions presented in this section. It is one of the bigger websites in the multi-lingo dataset. In panel 1 of Figure 13 we can see that the ECA has very high scores for most content sections. Most sections have at least three-quarters of their content available in all languages. Only two sections drop to a middle-range in which 40-50% of the content has multilingual availability. The score for the lowest scoring sections, the "News / Events / Speeches", is not surprising for it constitutes a very large section of content with nearly one-hundred thousand webpages checked. Panel 2 of Figure 13 suggests that there is some language dispersion for certain content sections such as the "Funding tenders" section. The anomalous spread in panel 2, is indicative of webpages that have mixed language content, which can result in potential misclassification when choosing a binary cut-off as discussed in Annex A2.1.2. Turning to the Needs typology, both the "Mostly core" and "Mostly primary" sections score very highly on the index reflecting a very high degree of multilingualism. The "Mostly secondary" type of content scores much lower as a result of the voluminous sections of "News / Events / Speeches".

For the three general metrics, the ECA has an overall average of .49 implying that about half of its content is available in multiple languages. However, this is because of the large volume of webpages in the "News, Events and Speeches". When calculating the more balanced grouped average, the score improves to .79. Lastly, the multilingual score for content that "mostly ought to be translated" is very high at .84.

Figure 13: ECA multi-lingo index by Content (panel 1) and language (panel 2)

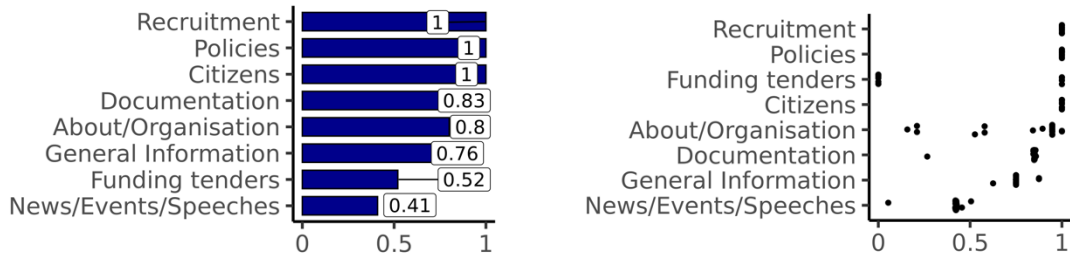**Figure 14: ECA multi-lingo index by Needs (panel 1) and language (panel 2)**

6.4.7   Comparison of the EU institutions
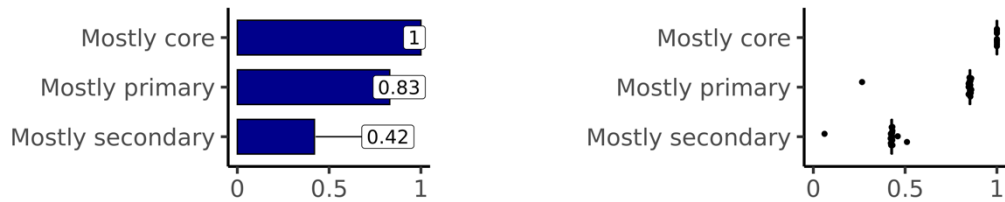
Following the assessment of the EU institution websites individually, this section now brings the analyses together with a comparative overview. In Figure 15, the main indicators for the EU institutions are combined in a single graph. The graph focuses on the two key metrics for making a balanced comparison across the EU institutions: i) the grouped average for the Content section (panel 1) and ii) the Needs type that refers to all content that "mostly ought to be available in all languages" (panel 2), which combines "Core" and "Primary" categories from the Needs typology.

Figure 15: Comparison of the "Content" and "Needs" scores of the EU institutions
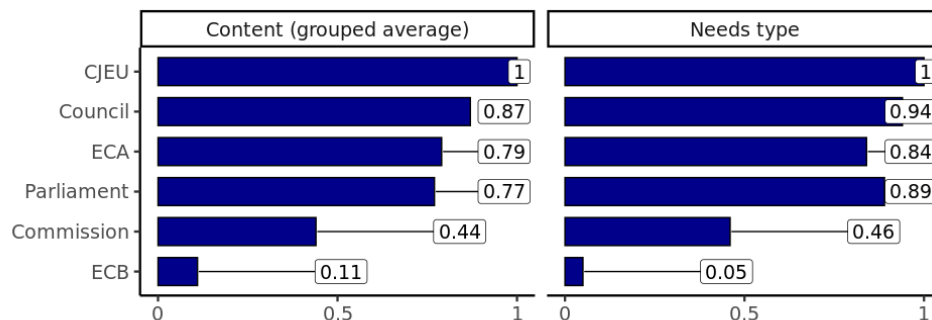
In terms of multilingual performance, with the exception of the Commission and the ECB, all the EU institutions perform well. This is especially the case for performance on the Needs typology that covers content that most likely "ought to be available in all languages".

The Commission has a mid-range performance, while the ECB has very low multilingual scores. It is important to note that both these institutions do appear to be introducing machine translated content to many of the webpages and sections that performed poorly on the multilingualism front.

6.5   Bodies and agencies of the EU

The websites of three EU bodies and three EU agencies satisfied the inclusion criteria (see Annex A2.2 for further details). The results are presented below.

6.5.1   European Ombudsman

The two panels in Figure 16 suggest the European Ombudsman website has a high level of multilingualism for most of the content sections. As shown in the first panel: three of the content categories (Recruitment, Policies and Funding tenders) appear to be available in all languages; and another three categories have over two-thirds of content available in multilingual format while the "Documentation" section is around the mid-range. Only the "News/Events/Speeches" is at the low end of the multi-lingo spectrum.

Figure 16: European Ombudsman multi-lingo index by Content (panel 1) and language (panel 2)
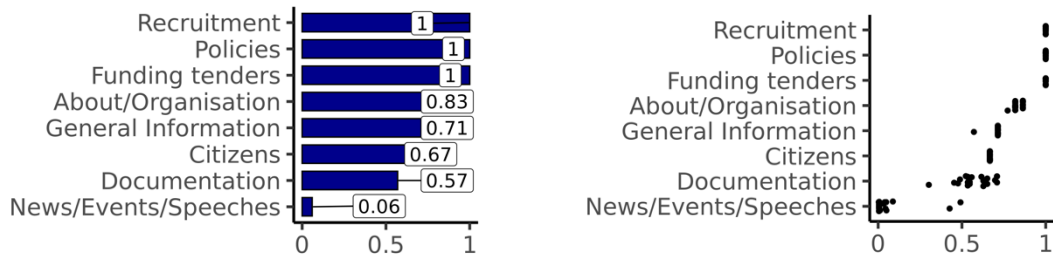
The second panel of Figure 16 suggests a very tight cluster for all the high scoring content sections with limited language variability. There are two outlier dots in the in "News/Events/Speeches" section, which pertain to French and German.

The overall average multilingual score for the Ombudsman is quite low at .14. However, this is because the large volume of webpages in the "News/Events/Speeches" are driving the average. When calculating the more balanced grouped average, the score dramatically improves to .73 -the highest score among the EU bodies.

6.5.2 European Committee of the Regions

The European CoR constitutes one of the smaller EU websites. Figure 17 shows that the range of scores vary greatly along the multilingual spectrum. However, only one content section, "Meetings/committees", has a mid-to-high ranging score where approximately three-quarters of content are available multilingually. On the other hand, the "Policies" section is on the zero extreme of the multi-lingo index. A closer inspection reveals that there are very few webpages in the section coded as "Policies" - and these contain features such as interactive maps that pose problems for language detection tools.

Figure 17: CoR multi-lingo index by Content (panel 1) and language (panel 2)
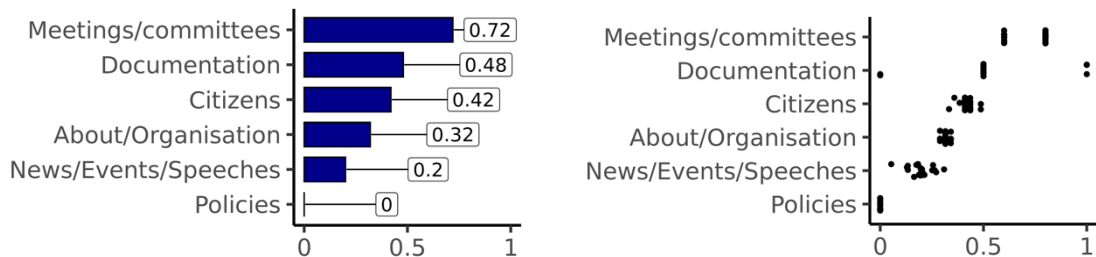
The second panel in Figure 17 reveals that while most content sections in the CoR website are quite tightly clustered, the two top content sections ("Meetings/committees" and "Documentation") have large variability in language availability. Overall, the multilingual score is .24 for the CoR website. For the more balanced grouped average, the multilingual value it is .36.

6.5.3   European Economic and Social Committee

The EESC constitutes a mid-ranking website in terms of the volume of its webpages in the dataset. As panel 1 in Figure 18 shows, there seems to be little variability in the scores of the various content sections. All of the EESC scores are on the low end of the multilingual scale. What is notable from the dot plot in panel two of Figure 18 is that there seems to be a consistent linguistic outlier. The outlier case is French, for which notably much more content is available than for the other languages. The aggregated scores for the EESC are rather poor with little difference across the two metrics: .9 for the overall average and .12 for the grouped average.

6.5.4   European Agency for Safety and Health at Work

Figure 18: EESC multi-lingo index by Content (panel 1) and language (panel 2)
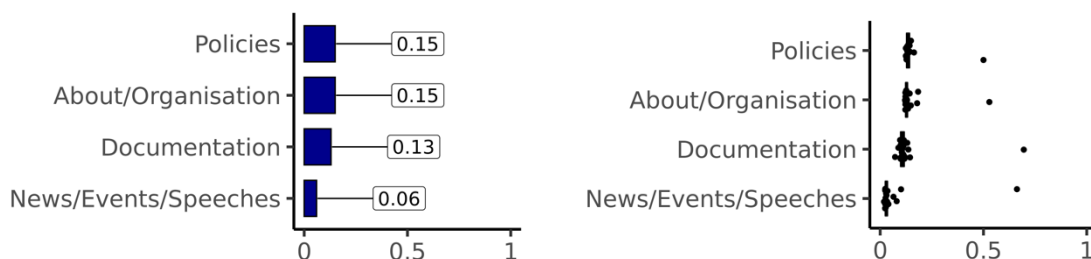
The European Agency for Safety and Health at Work (EU-OSHA) website is one of the few that satisfied the inclusion criteria among what is a relatively large number of EU agencies. As can be seen from panel 1 in Figure 19 the EU-OSHA agency tends to have very high scores. None of its content sections drop below the mid-point.

Figure 19: EU-OSHA multi-lingo index by Content (panel 1) and language (panel 2)
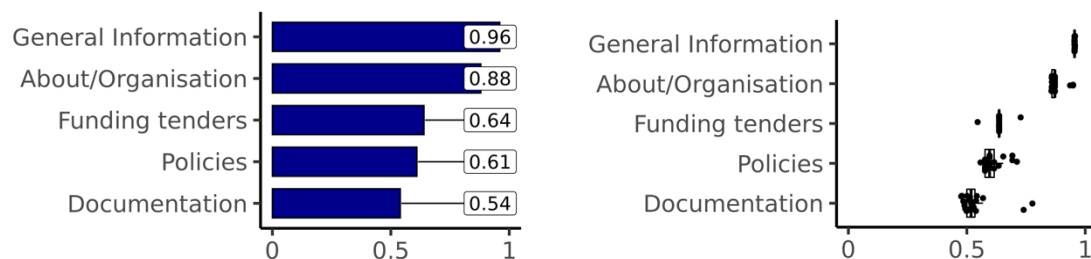
The second panel in Figure 19 tells a story of relatively consistent clustering for languages for nearly all content sections. There are a couple of outlier dots, for instance marginally higher scores for French and German in the About/Organisation web section.

Overall the EU-OSHA offers a useful benchmark for comparison among the agencies and is easily the best performing agency website. There is little difference in the choice of metric, where the overall multilingual average is .69 and the grouped average is .73.

6.5.5   European Food Safety Authority

The European Food Safety Authority (EFSA) website is similar to the EESC in its scores. As can be seen in panel 1 of Figure 20, the scores are consistently very low. Recruitment appears to score the highest. Yet,

on closer inspection this is due to a very low frequency of webpages. There is limited variability among the individual scores for the content sections.

Figure 20: EFSA multi-lingo index by Content (panel 1) and language (panel 2)
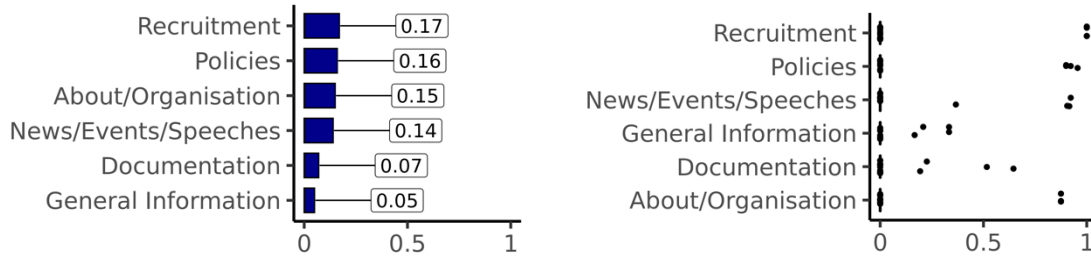
What is far more interesting in relation of the EFSA website is panel 2 of Figure 20, which depicts a number of outlier languages. Inspecting these outlier dots reveals that for the different content sections, albeit in slightly different combinations, the outlier languages are just four: French, Italian, German and Spanish. These languages enjoy considerably higher proportions of content availability than the rest. Indeed, this agency's website is only available in the four languages alongside English. Insofar as the general metric is concerned, for the EFSA agency the overall average and grouped averages largely converge on approximately the same value .12.

6.5.6   European Union Agency for Fundamental Rights

 The European Union Agency for Fundamental Rights (FRA) is the smallest of the EU agencies analysed in terms of data volume. This is reflected in the lower number of content sections. While the two top scoring content sections have respectable multilingual scores, the "About/Organisation" section is at the extreme end with a zero score. Manual inspection of this section (five months after the webpages were cross-checked for language availability) suggests that the language detection has not misclassified the webpages. This particular section seemed to be unavailable in other languages and generated an error page when the checks were conducted in 2021. Panel 2 of Figure 21 suggests virtually no language variability across the various content sections.

Figure 21: FRA multi-lingo index by Content (panel 1) and language (panel 2)
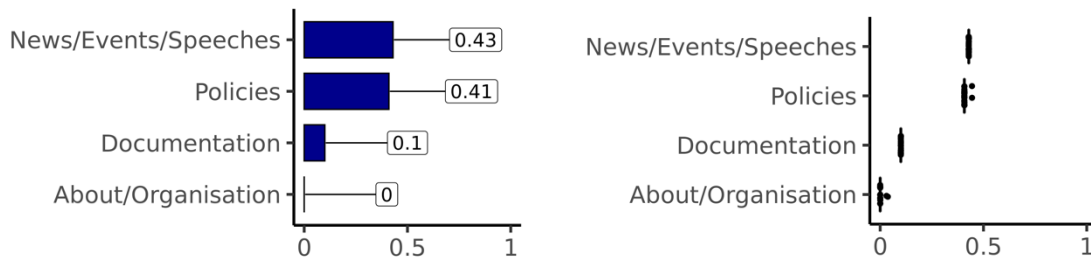
The FRA website's overall average multi-lingo score is .37, a score that is driven by the large volume in its "News/Events/Speeches" category which has a relatively good score. However, when the grouped average across the content categories metric is used it drops to .23.

6.5.7   European Chemicals Agency

The European Chemicals Agency (ECHA) is one of the largest websites in the dataset, and especially large for the agency type. This is due to a large section of the website, the "Documentation" section (with over 100k webpages), that contains information on chemicals.

Figure 22: ECHA multi-lingo index by Content (panel 1) and language (panel 2)
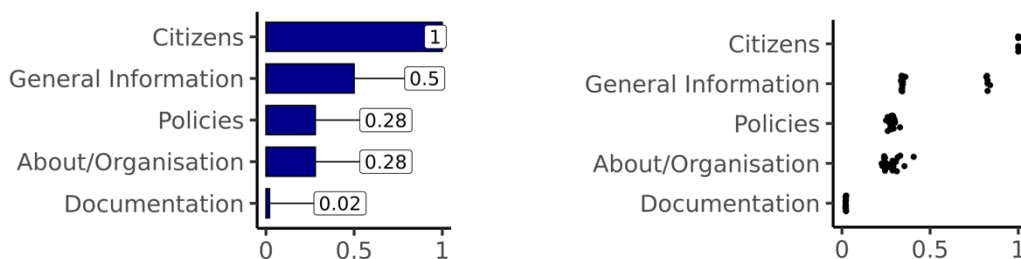
Virtually all of the information is in English as can be seen in panel 1 of Figure 22 for the "Documentation" section. The remaining sections do appear to have some multilingual content. The "Citizens" section gives a somewhat distorted picture since the frequency of pages is very low.

Moving to panel 2 of Figure 22, there is a clustering of languages for all the content sections with the exception of the General Information section. Closer inspection of this section suggests that the variability is mostly due to binary classification issues surrounding language in English and the target languages rather than of actual differences among languages.

The ECHA website's overall average multi-lingo score is .06, a score that is driven by the large volume in its "Documentation" category which has essentially only English language documents. However, when the grouped average across the content categories metric is used it increases to .41, a much higher score.

6.6   Comparison of EU Institutions, Bodies and Agencies

Having examined all the entity websites individually, it is now possible to conclude by presenting the comparative results. As was done at the start of this chapter, the two multi-lingo metrics are first presented. Figure 23 shows the two multi-lingo metrics, which can be seen to differ in terms of the scores and the entity ranking. The reason for this divergence is that the (ungrouped) metric does not take account of the groups (categories) in the content classification scheme. Instead, it provides the multi-lingo average of all webpages of an EU entity.

Figure 23: Comparison of EU entity's average multi-lingo scores (ungrouped and grouped)
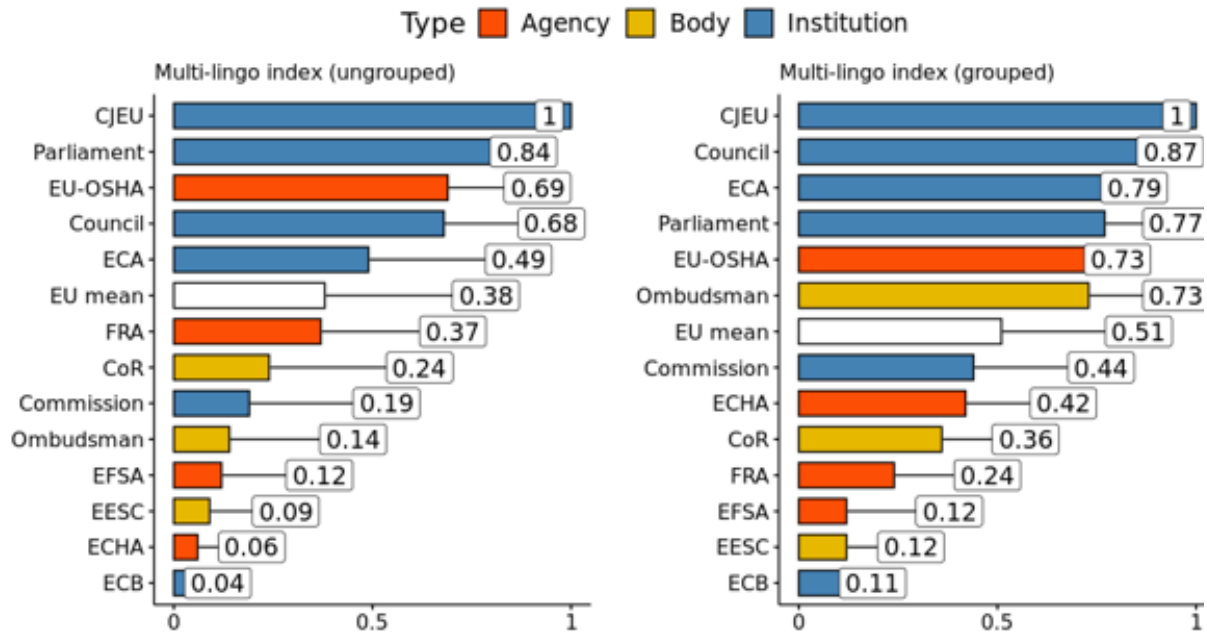
When comparing the two metrics it is clear that the grouped multi-lingo metric in the second panel of Figure 23 yields higher multi-lingo scores. The mean score for the subset of EU entities analysed increases substantially from .38 (ungrouped) to .51 (grouped). Indeed, only 2 websites perform marginally better with the ungrouped multi-lingo metric - the EP and the European Union Agency for Fundamental Rights (FRA). By contrast, the rest of the websites have either the same scores or, in most cases, substantially lower scores. The reason for this lower performance is that the web data is very unbalanced in terms of the actual volume of webpages across the different groups in the content classification scheme. Some web sections from the content classification scheme, e.g. News/Events/Speeches, can have many web pages while others such as Citizens, Recruitment or Funding tenders, typically have a much smaller volume of webpages. Furthermore, the web sections that, according to the needs typology, are considered "core" or "primary" (e.g. Recruitment or Citizens) also tend to be the sections that have a lower volume of web pages. Conversely, those that are "secondary" (e.g. News/Events/Speeches) can sometimes have a very large volume of webpages. When the data across the different groups of a classification scheme are very unbalanced - as is the case with the web data - a grouped average can provide a more balanced estimator.

A good example of how the differences across the metrics emerge is provided by the European Ombudsman website. It tends to have good multi-lingo scores across most groups (categories) from the content classification scheme with the exception of one category - the News/Events/Speeches category. This type of content section contains a high number of webpages (e.g. speeches) that are not translated. However, the remaining content sections score very well on the multi-lingo scale. Nonetheless, the ungrouped metric brings the Ombudsman multi-lingo score down by nearly 60 points. It is for this reason that the grouped multi-lingo metric is preferred for making cross-entity comparisons since it yields a more balanced assessment that is informed by the content classification scheme. Accordingly, the remaining discussion is based on the results of the grouped multi-lingo index.

The most obvious result in the second panel in Figure 23, which are coloured by the type of EU entity, is the high variability of scores across the EU entities.

The comparative results highlight three clusters of scores for the grouped multi-lingo index.

- In a first cluster, there are six entities (i.e. nearly half the sample of websites) whose average score for the content sections of the webpages analysed is above the EU mean of the websites analysed. In fact, the scores are all in the three-quarters or above range for the multi-lingo index. With two exceptions (the European Agency for Safety and Health at Work (EU-OSHA) and the Ombudsman), these entities are all institutions of the EU (Court of Justice of the European Union; Council of the European Union /European Council; European Court of Auditors; European Parliament).
- A second cluster is formed by entities just below the mean but above the one-third range of the multi-lingo index: the European Commission, ECHA and the European CoR.
- The third cluster encompasses the four websites whose performance is poor with score below the one-quarter range of the grouped multi-lingo index (European Central Bank, European Economic and Social Committee, European Food Safety Authority, European Union Agency for Fundamental Rights).

It is important to note that the multi-lingo metric does not take account of the availability of machine learning translation tools that are offered on some of the websites included in Figure 23 such as the ECB or the European Commission.

6.7 Conclusion

This chapter has explored the availability of multilingual content on EU websites. Based on the application of language detection techniques on the webpages that were analysed, the estimates of the availability of multilingual content show that there is wide variation across the websites of EU institutions, bodies and agencies. This may represent a challenge of accessibility for EU residents given the current distribution of language skills across the population (see Chapter 7 for a more in-depth analysis on this point).

A second conclusion is that most institutions perform well in terms of overall availability of multilingual content. This applies less to the European Commission, whose overall performance is close to the average of the 13 websites analysed. The European Central Bank, which has very low scores, is the clear outlier among the institutions. Evidence from the other EU bodies is mixed, albeit with relatively high scores for the Ombudsman. As regards agencies, although there are good examples such as the European Agency for Safety and Health at Work, most agencies do not publish content on their website in all official languages.

Finally, according to our exploratory "needs" analysis applied to EU institutions, most of the latter publish in all official languages content that "ought to be available in all languages". The European Commission performs less well on this measure while the European Central Bank is again an outlier with its very low scores. This suggests that there is room for improvement by focusing on those content sections that are likely to contain 'mostly primary' material as detailed in Chapter 5.

While this study constitutes the first systematic study of multilingualism across EU websites, it is nonetheless important to point out some of the potential limitations of the study and identify areas for future improvement. In the present study it was not possible to expand the needs typology analysis to all the entities nor was it possible to identify webpages that offered machine translation. Another avenue for improvement would be to consider the length of web content; a single web page can vary from a few hundred characters to many thousands. These factors could be considered in future iterations of the study's methodology and in further research.

7. THE LANGUAGE SKILLS OF EUROPEANS

KEY FINDINGS

- Analysis of the latest Adult Education Survey (AES) survey data by Eurostat in 2016 shows that the most spoken native languages by EU27 adult residents (aged 25-64 years old) are German (18%), French and Italian (14% each), Spanish and Polish (10% each). Two-thirds of respondents are native speakers of one of these five languages.

- There is no common language in the EU spoken at a very good level (native or proficient) by a majority of the population. About 20% of EU adult residents are able to communicate at a very good level in German, followed by French (about 16%), Italian (14%), and English (13%).

- The level of linguistic inclusion from communication in an English (monolingual) language regime is, depending on the language proficiency indicator used, 13-45% of the EU27 adult population, increasing to 43-65% of adults in a trilingual regime (English, French and German). A fully multilingual regime would ensure linguistic inclusion of 97-99% of EU adult residents.

- As content published on the EU website and its translation can be viewed as a public good in the economic sense of the term, it is a priori more efficient to centralise the costs for translation at the EU level rather than leaving citizens to bear translation costs.

- Machine translation can play an important role in EU communication policy, but it cannot replace human translation.

- Between 25-35% of visitors to the EU gateway website and European Commission website used English, but most of these visitors are likely to be non-EU citizens. The linguistic preferences of EU residents should be given priority over those of non-EU visitors.

- Foreign language learning can promote mutual understanding between EU citizens, trans-European mobility, inclusion and communication with EU institutions. Recommendations from the Conference on the Future of Europe and ideas from the Multilingual Digital Platform emphasise the importance of promoting multilingualism as a bridge to other cultures from an early age.

7.1   Introduction

This chapter assesses the "demand side" of EU multilingual communication audiences through analysis of the language skills of EU residents. This allows us to evaluate the extent to which the ("supply side") communication policy of the EU is accessible and transparent given the current distribution of language skills in the EU. Following the analysis of language skills survey data, the chapter reviews the linguistic profile of EU website visitors, the role of machine translation in the EU, and proposals to promote multilingualism in the wider education system.

7.2   Methodology

This study uses the most recent AES, a representative survey of EU27 residents by Eurostat, the European Statistical Office.[70] All definitions and indicators apply to European residents aged 25-64 and living in private households in the current EU27 Member States. The survey took place in 2016 and 2017, and data were first released in 2018. We use the amended version released in 2021.[71] Importantly, the AES contains information on respondents' mother tongue(s) and knowledge of foreign languages. The question "How many languages can you use, except your mother tongue(s)?" allows up to seven languages to be listed. Two questions focus on the assessment of the proficiency level for the first two foreign languages. Respondents could self-assess their skills in the first and second foreign language using four descriptors:

- **Elementary:** "I only understand and can use a few words and phrases".
- **Fair:** "I can understand and use the most common everyday expressions. I use the language in relation to familiar things and situations".
- **Good**: "I can understand the essentials of clear language and produce simple texts. I can describe experiences and events and communicate fairly fluently".
- **Proficient: "**I can understand a wide range of demanding texts and use the language flexibly. I master the language almost completely".

These descriptors are more precise than those used in the Eurobarometer survey[72] and they are in line with the Common European Framework of Reference for Languages (CEFR) approach. The following analysis refers to the current EU27 Member States (unless specified otherwise). Since the level of proficiency in foreign languages is an important variable to be considered in this study, in the rest of this study we will consider only first and second foreign languages spoken by EU residents. As noted, the AES does not collect information about the level of skills (if any) in the third, fourth, and following languages up to seven spoken by respondents. In other words, the tables presented in this chapter cannot report levels of proficiency for more than two foreign languages. This may result in a slight underestimation of the share of respondents speaking foreign languages at a basic level, but it is unlikely to systematically underestimate the share of people proficient in them. At the general EU level, it is rare for people to be fully proficient in three or more languages in addition to their native one(s); proficient levels are more common for the first and sometimes second foreign languages known, while the third and additional languages (if any) are usually spoken at a lower level of ability.[73]

7.3   Results

Table 7 below reports the percentage of EU residents aged 25-64 who declare to speak the 24 official languages of the EU as a native language(s) or as a foreign language.[74] The second column reports the percentage of the population who declare to be native speakers of the language indicated in the first

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column. From the third to the sixth columns, we report the percentage of the EU resident population declaring that they are able to speak the language as a first or second foreign language by level of skill (as noted, the AES provides information on the level of skills only for the first two foreign languages best-known by respondents). The last column before the total reports the percentage of the population who declare not to know the language (as already noted, this percentage is an upper bound, since the AES contains no information as to the level of proficiency (if any) in the third, fourth, and following foreign languages).

Table 7: Language skills of European residents aged 25-64, by language

Native language		Language knowledge as foreign language, by level				None	Total
		Elementary	Fair	Good	Proficient		
Language							
Bulgarian	1.7	0.0	0.0	0.0	0.0	98.2	100.0
Croatian	1.1	0.0	0.0	0.1	0.1	98.7	100.0
Czech	2.4	0.0	0.2	0.3	0.3	96.8	100.0
Danish	1.1	0.0	0.1	0.0	0.1	98.7	100.0
Dutch	4.8	0.2	0.3	0.2	0.2	94.3	100.0
English	1.9	9.0	14.3	17.3	11.3	46.3	100.0
Estonian	0.2	0.0	0.0	0.0	0.0	99.7	100.0
Finnish	1.1	0.0	0.1	0.1	0.1	98.7	100.0
French	13.7	3.7	3.9	2.9	1.8	74.1	100.0
German	17.9	1.9	3.1	2.9	2.4	71.9	100.0
Greek	2.5	0.0	0.1	0.1	0.1	97.2	100.0
Hungarian	2.7	0.0	0.1	0.1	0.1	97.1	100.0
Irish	0.0	0.1	0.1	0.1	0.0	99.7	100.0
Italian	13.8	0.4	0.6	0.5	0.4	84.2	100.0
Latvian	0.3	0.0	0.1	0.0	0.0	99.5	100.0
Lithuanian	0.6	0.0	0.0	0.0	0.1	99.3	100.0
Maltese	0.1	0.0	0.0	0.0	0.0	99.9	100.0
Polish	9.6	0.1	0.1	0.1	0.1	90.1	100.0
Portuguese	2.8	0.1	0.1	0.1	0.1	96.8	100.0
Romanian	4.9	0.0	0.1	0.1	0.1	94.9	100.0
Slovak	1.3	0.0	0.0	0.0	0.0	98.7	100.0
Slovenian	0.5	0.0	0.0	0.0	0.0	99.5	100.0
Spanish	10.2	1.4	1.6	1.2	1.2	84.5	100.0
Swedish	1.7	0.2	0.4	0.3	0.3	97.1	100.0

Source: Eurostat, 2021, AES 2016. 24 EU official languages. Weighted results reported in percentage. Total percentages referred to the population aged 25-64. Number of observations: 174,688. Note: in the Danish sample of the AES there is a high number of missing values for two AES variables, that is, "First best-known language other than mother" and "Second best-known language other than mother", which leads to an underestimation of the percentage of residents able to use foreign language in this country (See Annex 4). Considering the relatively small demographic size of Denmark compared to the rest of the EU, this is not going to significantly affect our general conclusions.

The most spoken native languages in the EU27 are German (18%, percentages are rounded to the unit), French and Italian (14% each), Spanish and Polish (10% each). Some two-thirds of EU residents are native speakers of one of these five languages. Romanian and Dutch follows with almost 5% each. Less than 2% of residents are native speakers of English. Most speakers of English in the EU are non-native speakers. English is the most commonly taught foreign language in the education system in EU countries, followed by French and German. Only 11% of EU residents declare themselves to be proficient in English, while intermediate levels (fair and good, in AES terms) are more common. Some 9% of Europeans can say only a few words in this language.

There is no common language in the EU spoken at a very good level (i.e. native or proficient) by the majority of the population. A very good level of language skills is necessary to understand complex documents about, for instance, rights and duties of citizens, funding opportunities, webpages presenting health notices about food, and other policy issues. Only around a fifth of adult residents in the EU are able communicate without too much effort in German (i.e. the sum of German native speakers and residents proficient in it as a foreign language), followed by French (about 16%), Italian (14%), and English (13%).

The language skills of EU residents are a central component to evaluate the transparency, accessibility and inclusiveness of EU communication about policy decision-making. We are not primarily interested in whether EU residents have sufficient skills in foreign languages to have an informal conversation, read simple texts, or to travel or perform elementary tasks in another language. We are interested in studying the degree to which the communication of EU is *a priori* accessible to EU residents in a language they are proficient in. Since EU institutions, bodies and agencies are an international public administration accountable to EU citizens (see Chapter 4), its language policy is an element to consider in the evaluation of its accessibility and transparency. Considering the multilingual nature of the EU and the lack of a common language spoken at a proficient level by the majority of the population, therefore, a multilingual approach to communication towards the public is an essential aspect of EU democracy.

In this context, an important question is the extent to which different *combinations* of official languages are conducive to an inclusive and accessible communication policy. We compare five possible combinations of official languages:

1. **Monolingualism,** or **English only language communication policy,** based on the sole use of English. This language regime corresponds to the *de facto* communication policy of many websites of EU institutions, bodies or agencies (Chapter 6).
2. **Bilingualism** includes French and German only, two of the 'procedural languages' of the European Commission. This language regime is not used in practice today, but it is interesting to examine it as French and German are the most taught foreign languages in the EU after English, and they are spoken by many native speakers at the EU level.
3. **Trilingualism**. This communication policy employs English, French and German. These correspond to the Commission's 'procedural languages'.
4. **Hexalingualism.** This communication policy, based on the five most commonly spoken native languages in the EU, namely French, German, Italian, Polish and Spanish, plus English. A language regime with six languages is used at the United Nations. Of course, six is an arbitrary number.
5. **Multilingualism.** This corresponds to the current 24 official languages of the EU.

The most frequently used combinations of languages used by EU institutions, bodies, and agencies in communications are the monolingual (English), trilingual, and multilingual models above, but it is interesting to include the bilingual and the hexalingual models for comparison.

In Table 8, the first column presents the five communication policies. The second column reports the percentage of EU adult residents who declare that they know at least one of the languages used in a combination, either as their native tongue or as a first or second foreign language at a proficient level. In the second column, therefore, we adopt a demanding definition of linguistic inclusion (labelled "Approach A"): we assume that European residents are linguistically included by a communication policy if either they are native speakers of at least one of the languages used in communication or they are proficient speakers of at least one of these languages as a first or second foreign language.[75] This provides a reliable indicator of the share of the population with the language skills to understand complex EU documentation and speeches (e.g. relating to calls for tender, speeches at the European Parliament, and to write a complaint to the European Ombudsman in an official language). Intermediate-level language skills are unlikely to be enough to understand demanding documents, and certainly not at the same level of confidence of native speakers of the official language or people who are proficient in it.

Table 8: Percentage of European residents aged 25-64 who are linguistically included, by type of EU communication policy and approach to the definition of linguistic inclusion

Communication policy	Approach A	Approach B
English only	13%	45%
Bilingualism (French and German)	35%	45%
Trilingualism (English, French, German)	43%	65%
Hexalingualism (English, French, German, Italian, Spanish, Polish)	74%	86%
Multilingualism (24 official languages)	97%	99%

Source : Eurostat, 2021, AES 2016. 27 EU Member States. Weighted results reported in percentage rounded at the unit. Total percentages referred to the population aged 25-64. Number of observations: 174,688. *Note*: In "Approach A" a person is linguistically included if the person is either a native speaker of at least one language used in a communication policy or has a "proficient" level of skills in this language as a first or second foreign language. In Approach B, a person is linguistically included if the person) is either a native speaker of at least one language used in a communication policy or has at least a "fair" level of skills in this language as a first or second foreign language.

The third column reports the percentage of EU adult residents who declare that they can speak at least one of the languages used in a communication policy as a native language or as a foreign language at least at a fair level (in the AES definition). In this approach (named "Approach B"), linguistic inclusion is defined more loosely than in Approach A. We sum native speakers and residents speaking as a (first or second) foreign language at least one of the languages used in a communication policy at a fair, good or proficient level. In Approach B, fair and good level of skills are considered as being able to follow and understand non-technical texts published by the EU such as tweets or general information about the EU. By contrast, we do not consider elementary skills to be sufficient to be linguistically inclusive in a meaningful way. For this reason, they are treated in Table 8 as equivalent to not speaking a language.

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[75] In applied research, the effectiveness of language regimes is measured through the linguistic disenfranchisement rate (Ginsburgh and Weber 2005; Gazzola 2016b), also referred to as the linguistic exclusion rate (Gazzola 2016b). The linguistic disenfranchisement rate is the percentage of residents "who potentially cannot understand EU documents […] because they do not master any official language" (Ginsburgh and Weber, 2005). A language regime is effective if it minimises linguistic disenfranchisement by producing documents in a combination of languages such that the share of residents who cannot understand them is as small as possible, and ideally zero. In this study, we use in practice a very similar indicator, as the disenfranchisement rate is simply the complement of the percentage of linguistic inclusion. In this study we present the results in terms of linguistic inclusion instead of linguistic disenfranchisement.

By adopting two approaches to the definition of linguistic inclusion, we aim to provide an upper and a lower boundary. Table 8 reports *net values* because they avoid double counting when we compare the five communication policies. For example, it would be incorrect to simply add the percentages presented in Table 7 when we compute the percentage of the resident population able to speak one language among English, French and German, because people may know more than one language. What matters is the percentage of the population who speak at least one of the languages of a specific combination used in a communication policy.

Table 8 shows that when the EU uses exclusively English in its communication, only 13-45% of EU27 adults can understand the content of the published documents (unless they rely on their own or machine translations), depending on the definition of linguistic inclusion adopted (i.e. Approach A or B). Besides debunking the myth that in Europe fluency in English has become a universal basic skill, these results show that publishing documents in one language only is not an effective communication policy for EU institutions. The percentage of EU residents linguistically included according to Approach A is just 13%. This means that when we consider a wide range of – possibly complex and/or highly technical – EU documents, about 87% of the residents in the EU would be unable to assess - without significant effort - what the EU is communicating to them if only English is used. In Approach B, linguistic inclusion is defined more loosely. Table 10 reveals that fewer than half of EU residents (45%) have at least a fair level of skills in English, meaning that the majority of EU residents would be unable to understand even simple texts or tweets in this language.

There are significant variations in linguistic inclusion across EU countries. Only Ireland and Malta have a share of at least 50% or more of adult residents declaring to be native speakers of English or proficiency as a first or second foreign language. This percentage is below 50% but larger than 25% in Austria, Cyprus, Denmark, Finland, the Netherlands, and Sweden (see Table A4.1 in the Appendix). In the rest of the EU, proficiency in English is less common. The share of the population who are native speakers of English or proficient in it is between 15 and 24% in Belgium, Estonia, Germany, Greece, Luxemburg, and Slovenia.[76]. In the remaining 13 countries this percentage is between 4 and 14%.

Turning to the German-French "bilingualism" model, this language regime would linguistically include between 35-45% of the EU adult residents. The bilingual (German-French) communication policy is more inclusive than a monolingual model based on English only, but this is mainly due to the large number of native speakers of French and German in the EU. If this communication policy is adopted, then the percentage of the population linguistically included (based on Approach A) is above 50% in four countries only (i.e. Austria, France, Germany, and Luxembourg). If we consider as linguistically included people who have at least a fair level of skills in either French or German (Approach B), the picture improves slightly because more than three-quarters of the Belgian population would be linguistically included (78% to be precise), but in the rest of the EU most residents would remain excluded. In Approach B, far less than half of the adult residents in 22 out of 27 countries would be linguistically included if the EU used only French and German in its communication policy (see Table A4.1 Appendix). This is due to French and German not being taught intensively in most countries, usually learnt as second foreign languages after English (Eurydice 2017). Without the promotion of the teaching of languages other than English in the school systems and measures to promote multilingualism in the media, Europeans are unlikely to develop high levels of skills in other foreign languages than English.

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[76] Luxembourg is also included in this list, but results for this country should be interpreted with caution for the reasons already explained in footnote 4.

The trilingual communication policy includes English, French and German (Table 8). This policy has significantly higher linguistic inclusion than the first two policies. A trilingual communication policy produces documents that can be understood by 43-65% of EU residents. However, it still excludes 57-35% of EU adult residents. A communication policy using only the three "procedural languages" of the European Commission, in particular, is far from being accessible to residents in Southern and Eastern European countries, and it is not fully transparent in the Nordic countries either.

If Italian, Polish and Spanish are used in addition to English, French and German (see the fourth communication policy in Table 8), the share of EU residents linguistically included increases, unsurprisingly, in Italy, Poland and Spain, and to a lesser extent in Lithuania. It also slightly improves the situation in Portugal, Slovakia, and Slovenia. A communication policy using at least these six languages has the merit of being accessible to 74-86% of EU adult residents, depending on the definition of inclusion adopted. However, the share of adults linguistically included in the definition used in Approach A is below 50% in 16 countries. It is lower than 50% in six countries if we adopt Approach B, all located in Eastern Europe (see Table A4.1 in Annex).

The fifth communication policy ("multilingual") corresponds to the current one with 24 official languages. Table 8 shows that the multilingual regime is a highly inclusive and accessible communication policy because 97-99% of adult residents are linguistically included when 24 official languages are used. It is only in Estonia and Latvia that the multilingual communication policy is not fully inclusive. This is due to the presence of a substantial minority of Russian-speakers. When we adopt a demanding definition of linguistic inclusion (Approach A), a non-negligible share of the population (i.e. more than 2%) is not fully linguistically included even when the 24 official languages are used in Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Lithuania, Luxembourg, the Netherlands, Slovenia, and Sweden. This is due to the presence of groups of resident migrants speaking languages such as Arabic, Albanian or Turkish who have not yet achieved proficiency in the official language of their host country. This emphasises the need for linguistic integration policies at the national level.

It is the role of EU policymakers to assess the trade-offs between the effectiveness and costs of different communication policy models. The results of this analysis can help decision-makers to make more informed decisions in several respects. The results show that a multilingual communication policy is currently the most effective and fair communication policy among the five alternatives compared in this study. It is the most effective because it maximises linguistic inclusion (i.e. the share of citizens who are able to understand at least one of the languages in which documents are published), and it is fair in the sense that it does not discriminate between Europeans based on their country of residence, their age or level of education. Indeed, the results of further analyses of AES data (see Table A4.2 and Table A4.3 reported in the Annex) reveal that older people and less-educated people are less likely to have at least some knowledge of foreign languages, and therefore are more likely to be excluded if their native language is not used for official purposes.

The implementation of a multilingual communication policy entails financial costs for translation and interpreting as well as administrative complexity for EU institutions, which must certainly be considered in policy choices. The costs of translation and interpreting in the EU were around EUR 1.1 billion according to the last official data for 2012, corresponding to less than 0.0081% of the GDP of the then EU28 (0.0097% if we consider the EU27 without the UK), and 1% of the EU budget (Gazzola and Grin 2013). Although in economic/financial terms a multilingual communication policy cannot be defined as unsustainable, one could argue that resources saved from translation and interpreting could be used for other purposes. This is a political choice. But we have to consider the effects of such a choice for the EU as a whole. A communication policy using English only or English, French and German only will entail

lower expenditure on translation and interpreting for the EU budget, but it will entail a corresponding shift of costs onto EU citizens who are not proficient in any of the languages used (see also Grin 2010; 2015). Whether this will entail an overall decrease in the aggregate costs of multilingualism management is an open question. The public content published on the EU website and its translation can be seen as a public good in the economic sense, being not rival in consumption and non-excludable (Wickström *et al.* 2018). Many people can read the content of a free webpage at the same time (the webpage is non rival), and everyone can have access as long as they have a device, and no passwords are used (no one is deliberately excluded). The production costs of translations of webpages do not depend on the number of beneficiaries, but only on the number of languages. In other words, the cost for the EU budget to translate a webpage is the same if it is read by one person or 100 million people. For this reason, it is *a priori* more efficient to centralise the costs for translation at the EU level, instead of individuals bearing translations costs.

The degree of linguistic accessibility resulting from the five communication policies presented relates to a specific moment in time. Education can slowly affect the distribution of language skills, and contribute to improving proficiency in foreign languages (see section 6 in this chapter). It is worth emphasising, however, that languages fulfil an important symbolic function (Edwards 2009). Abstaining from using an EU official language in communication because its speakers are fluent in another official language can become a highly contested issue for political and symbolic reasons, as well as raising legal issues (see Chapter 3).

A final issue concerns the socio-economic profile of EU target audiences. One can argue that not all Europeans are necessarily interested in having access to all documents published by the EU. Access to EU documents may be more important for certain groups of people e.g. specific job profiles of typically high-skilled workers. The need to access EU information may be more relevant for persons in specific jobs such as decision-makers, managers and professionals than people working in elementary occupations or clerical support workers. A critical question is whether a multilingual communication policy is beneficial also for these groups of people, or whether a monolingual communication policy suffices.

Analysis of the AES data on languages skills by type of occupation (see Table A.4.4 reported in the Annex) confirms that high-skilled workers have better foreign language skills than low-skilled workers, and are therefore less likely to be linguistically excluded if their native language is not used in EU communication. This does not mean that a multilingual communication policy does not offer them communicative benefits. The two occupation groups representing the highest-skilled, using the AES categories, are "managers" (5% of the sample) and "professionals" (21% of the sample). The share of European managers who are linguistically included in a monolingual communication policy (i.e. only English) is just 26%, according to Approach A (i.e. people included are either native speakers of English or have a proficient level in it as foreign language), and 67% if we use Approach B (i.e. respondents are either native speakers of the language or have at least a fair level of skills as a foreign language). These percentages are, respectively, 32% and 78% among professionals. In other words, only a minority of European managers and professionals are native or proficient speakers of English, and they may have difficulties in understanding EU documents of a technical and legal nature when they are published only in this language. Further, between one-third and one-quarter of managers and professionals have either no or only a basic knowledge of English.

7.4   The linguistic profile of the visitors to EU webpages

We now review the linguistic profile of visitors to the European Commission's website (https://ec.europa.eu) and the EU Gateway website (https://european-union.europa.eu), based on data provided by the Commission. The visitor profile for the Commission's website in 2021 was as follows.

- The total number of visits was approximately 111 million, corresponding to 203 million pageviews, of which 161 million unique pageviews. The average duration of the visit was two minutes and four seconds. Most visitors were looking for Covid-19 information (especially about the Green Pass), but also about funding opportunities.
- 72% of visits came from EU countries, the top 10 countries being Germany (12m visits, equal to 11% of the total), followed by Spain (8.3%), Italy (7.7%), Belgium (6.7%), France (5.6%), Romania (4.6%), Netherlands (3.1%), Greece (3.0%), Poland (2.5%), and Bulgaria (2.1%).
- Outside the EU, most visits came from the United Kingdom and the United States of America (6% each).
- Using the language of the browser used as a proxy for the users' language, the most used languages (both EU and non-EU visitors) were English (35%), German (12%), Spanish (9%), Italian (7%), French (7%), Dutch (4%), Romanian (3%), Portuguese (3%), Polish (2%), Greek (2%). With the exception of English, the shares of the language of the browser more or less correspond to the share of visitors from the country/ies where the language is official (e.g. French is used both in France and in Belgium, and Dutch both in Belgium and in the Netherlands). It is therefore likely that most visitors choosing the version of webpages in English are located outside the EU.

Turning to the EU Gateway portal, in 2021 the situation was as follows.

- The gateway was visited approximately 32 million times, with an average duration of 1 min 48s. There were 56m pageviews of which 44 million were unique pageviews. Visitors mostly looked for information about EU countries and institutions.
- The top 10 countries in terms of visits were Italy and Germany (11% each), Spain (7%), France and the USA (6% each), Poland (5%), Romania and Portugal (4% each), United Kingdom and Belgium (3% each).
- The most commonly used languages (proxied by the browser language, both EU and non-EU visitors) were English (25%), Italian (12%), German (11%), Spanish (11%), French (7%), Portuguese (5%), Polish (5%), Romanian (3%), Dutch (3%) and Hungarian (2%). English and, to a lesser extent Spanish, are overrepresented, in the sense that the share of visitors using these languages outweighs the share of visitors from EU countries where these languages are official. This is most likely due to many visitors choosing these two languages (in particular English) being located outside the EU.

The European Commission states that "all content is published in at least English, because research has shown that with English we can reach around 90% of visitors to our sites in either their preferred foreign language or their native language".[77] There is, however, a tension between this statement and the analysis of AES data as well as the visitor analytics above. It is likely that reaching around 90% of visitors to EU sites using English can hold under two assumptions. First, this figure probably includes non-EU residents, which, as shown above, are almost one-third of the visitors to the EU gateway portal and the

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[77] See 'languages on our websites': https://european-union.europa.eu/languages-our-websites_en

Commission website. From a policy analysis perspective, however, the linguistic preferences of EU residents should be given priority over those of non-EU visitors. Second, it may be that some of the visitors who chose languages other than English are multilingual, and therefore able to read pages in English if the content is not available in their native language. As shown in the previous section, this group with high proficiency in English are highly selective audiences, e.g. residents in some EU countries where proficiency in this language is more common, better educated people, and high-skilled workers.

Transparency, accessibility, fair competition, equality of opportunities and social mobility through EU policies would be improved if "core" and "primary" content (as defined in Chapter 5) published online is systematically available in the EU official languages. Access to EU funding opportunities, for example, can be crucial for start-ups, small and medium-sized businesses or civil society organisations. The use of one language only in EU communication policy may result in larger organisations being favoured, as they may have more linguistic capacity in English. The lack of attention to the multilingual needs of audiences can contribute to feeding and perpetuating the perceptions that EU institutions are distant and disconnected from the lives of citizens.

These conclusions are corroborated by the Eurobarometer survey *User language preferences online* (see European Commission 2011). It shows that 90% of internet users in all EU Member States would always visit a website in their own language when the option is provided: 68% of EU residents "strongly agree" with this statement; 22% "rather agree" and only 9% "rather" or "strongly disagree" (6% and 3%, respectively). While 55% at least occasionally use a language other than their own when online, 44% feel they are missing interesting information because web pages are not in a language that they understand. It is important to note that the Eurobarometer survey refers to websites in general and not specifically to EU websites.

7.5   The role of machine translation

Machine translation (MT) is a process whereby a computer translates a text across different languages through a software and without the direct involvement of a human being (see the Annex 5 for a discussion of the main approaches).[78] MT is increasingly important in the EU. The scale of the multilingual operations of the European Commission's Directorate-General for Translation (DGT) are "unprecedented" with a very high "legal and political importance" (Svoboda et al. 2017). Despite the growing demand for translation, the DGT works under a tight cost-reduction policy (Directorate-General for Translation, 2017). The DGT also encourages other DGs to use MT "for content for which only a basic understanding is needed and for language combinations that yield good results."

The systematic use of MT requires a reliable MT system able to produce high quality output. DGT's 2016-20 strategic plan states that it "will also improve the linguistic and service quality of its machine translation system (MT@EC) […] enabling Member States to overcome language barriers when operating across borders" (Directorate-General Translation, 2016). MT@EC was created to "help European and national public administrations exchange information across language barriers in the EU" (European Commission, 2016). MT@EC is a statistical MT system improved by rule-based processing (Mai, 2016).

In the 2020-24 strategic plan, the DGT underlines the crucial role of MT in its activities and that it will keep testing and improving the quality and reliability of its proprietary MT system (now known as "eTranslation"). According to the Commission website, eTranslation is a free, safe and easily applicable

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[78]   The study authors thank Dr. Marco Civico (University of Geneva) for his valuable assistance in the preparation of this section.

translation tool that can be used not only by public sector officials and public service providers, but also by European small and medium-sized enterprises in order to boost international business.[79] According to the interviews for this study, eTranslation will be gradually incorporated into EU webpages created via *Publishing platform*, the content management system (CMS) used by DGs to create websites, developed on the basis of open-source software.

The important role of MT in EU institutions is likely to increase in the future. Expanding the use of MT is a clear objective of EU institutions (for example, see the European unitary patent and integration of neural MT in the EU Council Presidency discussed in Annex 5). MT can enhance the productivity of professional translators, and support a wide range of users in their daily activities when that involves accessing EU information.

The systematic use of MT can help to address the concerns of many Member States and citizens who find that delayed translations (or the lack thereof) cause unfair discrimination against speakers of less frequently used languages and give an undue advantage to native speakers of English (largely located outside the EU) or EU residents with proficiency in English. MT was successfully applied to the website of Re-open EU[80] and to the Multilingual Digital Platform of the Conference on the Future of Europe.

While MT technology has progressed significantly, also thanks to considerable EU investments, it is still unable to produce outputs with consistently high and reliable accuracy. Accordingly, efforts should focus on greater and better integration of machine translation within the workflow of professional translators, which has proved to be successful. The generalised use of MT to replace human translators is currently not feasible. Indeed, inaccurate outputs, even if rare, may create substantial delays due to the need for editing and might cause further problems. Despite these shortcomings, MT can play an important role in EU communication policy by enhancing multilingual contents, particularly on the website of the European Commission, the European Central Bank, bodies and agencies.

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[79]   eTranslation: https://ec.europa.eu/cefdigital/wiki/display/CEFDIGITAL/eTranslation.
[80]   It contains information about Covid-19-related travel restrictions in EU countries: https://reopen.europa.eu/en.

7.6   The promotion of multilingualism in the education system

The final issue for this chapter concerns the promotion of multilingualism in the wider education system and in European society. Although education is a national competence, EU policies promote the teaching of foreign languages in schools and universities. In addition to equipping candidates applying to work for EU institutions and improving citizens' communication with the EU, enhanced language learning can help to pursue larger societal goals such as promoting mutual understanding between European citizens, trans-European mobility and the inclusion of mobile citizens in the host society. Linguistic diversity is a challenge for the EU because the two goals pursued of mobility and inclusion "involve languages in complex ways that do not necessarily converge" (Grin, Marácz, and Pokorn, 2022: 8). While it is outside of the scope of this study to review the vast literature on EU language policy, a series of useful proposals about how to ease the trade-off between mobility and inclusion through language policy has emerged from the recent large European integrated research project "Mobility and Inclusion in a Multilingual Europe" (Grin et al., 2018; Grin, Marácz, and Pokorn, 2022).

As part of EU efforts to promote mobility, integration and intercultural understanding, language learning is an important EU policy priority with numerous dedicated programmes and projects (for a historical review, see Gazzola 2016a). In the Barcelona European Council Conclusions of 15-16 March 2002, further action was called for in the field of education "to improve the mastery of basic skills, in particular by teaching at least two foreign languages from a very early age". This is known as the "mother tongue + 2" formula. In the Communication "Strengthening European Identity through Education and Culture" (European Commission, 2017), the Commission sets out the vision of a European Education Area in which high quality, inclusive education, training and research are not hampered by borders, and spending time in another Member State to study, learn or work becomes more frequent. Learning and speaking two languages in addition to one's mother tongue is seen as a key factor to promote not only mobility and job opportunities, but also to foster people's strong sense of their identity as Europeans, as well as an awareness of Europe's shared cultural and linguistic heritage and its diversity (European Commission, 2017).

The European Parliament underlined the importance of learning foreign languages in its recent resolution of 11 November 2021 on "The European Education Area: a shared holistic approach." (OJ, C 205/17, 20.5.2022). Paragraph 29:

> "Underlines the importance of learning foreign languages, and of English in particular; underscores the need for Member States to take action to support the development of linguistic competences at all levels, especially in primary and secondary education, to embrace the Council of Europe's goal of 'plurilingualism' and to achieve the benchmark of all pupils having a sufficient knowledge of at least two other official languages of the EU and its Member States at the end of lower secondary education at the latest."

EU citizens have made several proposals to promote multilingualism in the education system using the Multilingual Digital Platform of the Conference on the Future of Europe in 2021-2022. They suggest strengthening EU efforts to promote language learning, and to support linguistic diversity in the media and in the Erasmus+ programme (a detailed account of all ideas is presented in Kantar Public, 2022). The most endorsed one in the field of education, culture, youth and sport (which was also the fifth most endorsed idea among the 16,274 ideas recorded on the Multilingual Digital Platform) refers precisely to language learning. It calls on the EU to disseminate the results of an innovative Erasmus+ programme called the "Multilingual Accelerator" which has proved successful in a number of primary schools in three EU countries (Bulgaria, Croatia, Slovenia) in 2018 and 2019. The "Multilingual Accelerator" programme showed a significant and rapid improvement in foreign language skills of schoolchildren

aged 8 to 9, who acquired these skills by first learning a limited and carefully-chosen amount of a logical living language such as Esperanto.

The importance of language learning is emphasised in the concluding report of the Conference on the Future of Europe in May 2022. Plenary proposal number 48 "Culture and exchanges" has the objective of promoting a culture of exchange and fostering European identity and European diversity across different areas and Member States, with the support of the EU. The second measure (48.2) in this proposal has the suggestion to:

> "Promote multilingualism as a bridge to other cultures from an early age. Minority and regional languages require additional protection, taking note of the Council of Europe Convention on Minority Languages and the Framework Convention for the Protection of National Minorities. The EU should consider setting up an institution promoting language diversity at the European level. From elementary school onwards, it should be mandatory that children reach competence in an active EU language other than their own to the highest possible level. In order to facilitate the ability of European citizens to communicate with wider groups of their fellow Europeans and as a factor of European cohesion, learning of the language of the immediate neighbouring EU Member States in cross-border areas and reaching a certifiable standard in English should be encouraged by Member States".

In June 2022, the Council has started discussions on the basis of a comprehensive preliminary technical assessment of the proposals and related measures contained in the final report of the Conference, prepared by the Council General Secretariat (Council of the European Union 2022a).[81] The Council notes that enabling the EU to make certain issues a mandatory part of education curricula throughout the EU would require a change in the Treaties in order to be fully implemented. In particular, "because the EU cannot adopt harmonisation measures in this field, enabling the EU to make an issue a mandatory part of education throughout the EU would require Treaty change" (Council of the European Union 2022b: 219). It is therefore unlikely that the recommendation "From elementary school onwards, it should be mandatory that children reach competence in an active EU language other than their own to the highest possible level" will be directly implemented by the EU, although it could be embraced by Member States.

Further, there seems to be tension between parts of proposal 48.2 and the 2002 European Council recommendations to Member States to teach pupils at least *two* foreign languages in addition to their mother tongue.[82] Proposal 48.2 of the Conference Plenary encourages Member States to teach English to a certifiable standard, and, in cross-border areas, to promote the learning of the language of a neighbouring Member State. The proposal, therefore, encourages the adoption of a language policy that is less flexible than the "mother tongue + 2" formula. Further, it does not represent something new with respect to the status quo. Teaching English in the education system of EU countries is already common practice. According to European Commission data, "in 2014, at EU level, virtually all students (97.3 %) studied English during the entire period of lower secondary education. The proportion was lower in primary education (79.4 %) as in some countries foreign language learning is not part of the curriculum during the first years of compulsory schooling. At EU level, the proportion of students learning English in upper secondary education was 85.2%" (Eurydice 2017). So far, however, only a minority of students achieve proficiency (European Commission, 2012).

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[81] Available at: https://futureu.europa.eu/pages/follow-up?locale=en
[82] Barcelona European Council 15-16 March 2002. Presidency Conclusions. SN 100/1/02 REV 1.

7.7   Conclusion

This chapter assessed the "demand side" of EU multilingual communication in terms of citizens' linguistic skills and the language preferences of website users. Analysis of the language skills of Europeans was carried out using the most recent wave of the Adult Education Survey published by Eurostat. The chapter also presented data on the profile of visitors to the websites of the European Commission and European Union inter-institutional portal, as well as the language preferences of European internet users. Comparing these results with those of Chapter 6 (multilingualism on EU websites) shows that the communication policy of some EU institutions, bodies and agencies is not always effective or equitable. The variability in the availability of multilingual content on the websites of EU institutions, bodies and agencies implies that this channel does not always suit the needs of all target audiences. Machine translation is certainly a central instrument to guarantee and promote multilingualism on EU websites, but it is only part of the solution.

8. CONCLUSIONS AND RECOMMENDATIONS

This chapter presents the conclusions and recommendations structured according to the study's research questions.

Question 1: Do EU institutions, bodies and agencies comply with Regulation No 1 and EU language law in general and what are the implications for their communication policy?

The study concludes that **EU institutions, bodies and agencies formally comply with multilingualism obligations.** This is facilitated by flexibility in the regulatory obligations and the absence of a comprehensive framework that ensures common standards fit for the digital era, especially in terms of the content of EU websites.

Regulation No 1 is the legal cornerstone of EU multilingualism obligations setting out the rules determining the languages to be used by EU institutions, bodies and agencies. The legal framework, which also includes Treaty commitments, other regulations and the case law of the CJEU, sets out specific obligations concerning the rights for citizens to communicate directly with the EU institutions and address any of the institutions and bodies and agencies in the language of their choice. Citizens can also exercise their right to petition the European Parliament, apply to the European Ombudsman and register a citizens' initiative in any language of the EU. Furthermore, all the legal text of general application must be published in the Official Journal of the EU in the 24 official languages. The institutions, bodies and agencies can work in all the 24 official languages, which have the same equal status. However, each institution, body or agency has flexibility to "stipulate in their rules of procedure which of the languages are to be used in specific cases" (Article 6 of Regulation No 1), e.g. with regard to the languages to be used in working documents or internal meetings with experts.

Multilingual digital communication is not addressed in Regulation No 1 or by the CJEU to date. This absence is striking given the importance of EU websites for communicating information to the public. In the digital age, the EU does not communicate exclusively to external audiences through the OJ which is translated as standard practice. The EU also communicates through written and oral digital documents, e.g. webpages, freely downloadable guidelines for projects and funding, tweets, videos and streaming European Parliament sessions. Indeed, these means of communication are arguably the main channels for citizens, businesses, other organisations and public authorities to access EU information about the EU and policies that directly affect them.

This regulatory gap has been filled in the legal literature by an extended application of the "specific cases doctrine", whereby the language policy to be implemented in communication via the website is treated as an internal choice for institutions, bodies and agencies. The case law on website publication only deals with the right to challenge a measure before the courts. Similarly, the language regimes of EU institutions, bodies and agencies do not include provisions about how official languages should be used in website communication. Although there is no violation of any formal multilingualism legal obligations, the lack of a comprehensive and updated regulatory framework for website communication to manage linguistic diversity in website communication raises important substantive issues for linguistic inclusion, transparency and accessibility.

A critical point is that **EU institutions, bodies and agencies should enjoy only a limited discretion for the implementation of their communication policy.** This is because the specific cases doctrine should be interpreted narrowly based on the rationale of Regulation No 1 and interpretative rules of law. Further, a case could be made for a teleological (i.e. goal-oriented) interpretation based on the Article 3 TEU commitment to respect linguistic diversity. In this sense, the specific cases doctrine could be interpreted in a narrower way than has been followed to date by the CJEU and in practice by the

institutions, bodies and agencies. As a result, website communication should not always be considered as part of the specific cases doctrine.

Digital communication has blurred the boundaries between publicly accessible documents and internal documents, reinforcing the need for guidance on the publication of soft law and instruments with substantive effects on equality of access to key information by citizens, businesses and national public authorities. For example, the European Commission's working documents can be made public online and, even if they are not published in the OJ, they are still written texts that are communicated and disseminated for wider public consumption via the internet. They are published and *are* publications, despite not being considered *official* publications that must be translated under Regulation No 1. Moreover, the CJEU has stated that website publications can, under certain circumstances, be equivalent to OJ publications.

This study argues, based on legal reasoning, that **Article 5 of Regulation No 1 (dealing with multilingual official publications) should apply to some types of content published online** with substantive effects on the rights and obligations of citizens, businesses and national public authorities, e.g. State aid guidance, EU funding programmes or calls for tender, amongst others. The traditional distinction between a legally binding act creating rights and obligations and a non-legally binding act should be adapted to website contents and especially to soft law. The translation of other documents that do not have such substantive effects is less of a priority, and machine translation could be used if resources are unavailable for human translation.

A key contribution of this study is to clarify what type of content should be translated based on a ranking classification of multilingual needs. This "multilingual needs typology" follows a so-called "substantive approach" that distinguishes variations in multilingual needs according to the legal substance and the substantive effects of the contents of digital communication: *core documents* are already legally obliged to be available or submitted in all EU languages; *primary documents* should be available in all EU official languages due to their substantive content and potential impact on citizens, businesses and national public authorities; and *secondary documents* are a lower order priority for multilingual availability. As core documents are already translated by virtue of Regulation No 1 and other provisions, we argue that documents in the "primary" type should be translated, while for "secondary documents" machine translation would be adequate if resources are insufficient. If primary documents must be published as a matter of urgency before human translations are available, then machine translation should be straightforward to apply, e.g. publications should be in a predefined electronic format that can be easily transferred to a machine translation system (unlike PDFs or scans).

The application of this multilingual needs typology to EU institutions' websites through the calculation of a multilingualism index that rates the availability of multilingual content reveals variations in performance. The Commission and the ECB do not perform well in the publication of website sections with "mostly core" and "mostly primary" content that should be available in all EU languages. By contrast, the performance of the websites of the European Council/Council of the European Union, the Court of Justice of the European Union and the European Court of Auditors is very good. The European Parliament also has a relatively high score.

Question 2: What are the features of the language regimes adopted and followed in practice? Are these regimes transparent and formalised?

The language regimes of EU institutions, bodies and agencies - the rules determining the use of languages in their activities - are not sufficiently transparent and formalised. These language regimes are not always clearly defined in their rules of procedure. For example, the Commission and several bodies and agencies do not fully explain their language regime in formal internal rules of

procedure. The language regime of bodies and agencies is sometimes not specified, or is often unclear, does not follow a comparable structure, and largely relies on implicit rules and practices. Some EU bodies or agencies have not established any language regime. This is inconsistent with European Ombudsman recommendations on good administration practice, which calls for the policy on the use of official EU languages by EU institutions, bodies and agencies to be clearly defined setting out the languages used in different situations and published on their website. All principles in Regulation No 1 are applicable to EU bodies and agencies unless the regulation setting up a body or agency explicitly provides otherwise.

The variations observed in the availability and nature of EU language regimes makes it difficult to assess and compare them. The language regimes of some EU institutions, bodies and agencies explicitly define a restricted number of languages to be used for internal communication (working languages). However, in most cases, the use of one or a few working language(s) is not formally established but is simply reflected in operational practice. Further, most EU institutions and bodies have published their website language policy - unlike most agencies. The study also reveals that some webpages contain detailed information about the multilingual communication approach of the institution, body or agency, but in other cases the content could be further developed. Choices of the languages that agencies use on their website are influenced by audience considerations, the working languages used internally and budget constraints. Monolingual external communication in English is often the outcome of this.

The wide range of language regimes, practices and website language policies are not systematically monitored and reviewed by the EU. This negatively impacts transparency and accountability as well as hampering a more formalised approach with common standards.

Question 3: Do linguistic practices in website language policy suit the needs of the target audiences? How could these organisations best adapt to the current linguistic contexts?

The accessibility of linguistic practices for target audiences has been investigated empirically from two perspectives. The first was the "supply side" of multilingual communication through analysis of the availability of multilingual content on EU websites. The second perspective considered the "demand side" of multilingual communication, investigated through an analysis of EU residents' language skills. Lastly, we compared the supply and demand sides of multilingual communication to assess effectiveness and accessibility.

The analysis of the 13 EU websites with the most multilingual content showed that some performed well in terms of a multi-lingo index that takes account of the different content sections of a website, while others performed more poorly. The highest multilingual ratings were for six sites with scores well above the mean of the 13 websites (Court of Justice of the European Union, Council of the European Union/European Council (shared website), European Court of Auditors, European Parliament, European Agency for Safety and Health at Work and the European Ombudsman). A second cluster of websites have a mid-range performance and include the European Commission (closest to the mean of EU websites), and the European Chemicals Agency and the European Committee of the Regions (both with lower scores). The last cluster encompasses four websites that perform poorly and have low availability of multilingual content (European Central Bank, European Economic and Social Committee, European Food Safety Authority, European Union Agency for Fundamental Rights). Beyond these 13 sites, most EU agencies' sites analysed are effectively monolingual.

An alternative multilingual index that only looks at the total volume of webpages, without taking account of differences across the content categories, increases the performance of two of the 13

EU websites marginally (the European Parliament and the European Union Agency for Fundamental Rights) but reduces the performance of the majority of websites, very dramatically in some cases such as the European Ombudsman.

The variability of the provision of multilingual content on EU websites implies that this channel does not always suit the needs of all target audiences. While most EU institutions performed well in terms of the overall availability of multilingual content, this applied less to the Commission and especially the ECB. Evidence from the other EU bodies was mixed, albeit with relatively high scores for the European Ombudsman when taking account of the different content sections. Most EU agencies do not publish content on their website in all official languages.

The "demand side" analysis revealed **low levels of public accessibility to content published by the EU when only English is used,** based on Eurostat survey data of EU adult residents' language skills. Around one-third of EU residents speak only their native tongue(s) with percentages close or higher than 50% in Bulgaria, Hungary and Romania. Between one-third and half of the adult resident population have no skills in languages other than their mother tongue(s) in France, Greece, Italy, Poland, and Spain. There is no common language in the EU spoken at a very good level (i.e. as native speaker or as a foreign language at a proficient level) by a majority of the population. About 20% of EU adult residents are able to communicate at a very good level in German, followed by French (about 16%), Italian (14%), and English (13%). If a document is published only in English, only a percentage between 13% and 45% of the EU adult population is able to understand it (depending on the indicator used to measure language proficiency). This share increases to 43-65% in a trilingual communication policy (using English, French and German). A fully multilingual communication policy ensures accessibility to content by 97-99% of EU adult residents, the remainder being accounted for by immigrants or linguistic minorities that are not proficient in any of the 24 EU official languages.

The lack of attention to the importance of multilingualism in communication policy, given the current distribution of language skills in the population, can potentially fuel perceptions of the EU being distant and disconnected from citizens lives. It is clear that the language regime of an EU institution, body or agency is the result of a balancing act between conflicting interests including significant resource constraints, requiring the engineering of linguistically appropriate solutions to practical difficulties. However, the argument that translation is expensive or an inefficient use of EU resources must be re-examined in the light of the political and economic costs of non-multilingualism: saving costs on EU multilingualism effectively shifts communication costs onto EU citizens with no or low skills in foreign languages. This presents a policy and operational challenge for the EU institutions. Although not free from a resourcing perspective, a multilingual regime is the most effective and accessible communication policy, considering the current distribution of language skills of EU residents.

Based on the findings of this study the following recommendations are proposed.

- **Recommendation 1: Develop a common and transparent framework and standards for multilingual communication.** EU institutions, bodies, and agencies should adopt clear and transparent language regimes and a clear website language policy. If there is no political appetite for reform of Regulation No 1, then an inter-institutional agreement followed by periodic review and monitoring would be an acceptable solution. The European Parliament should promote the establishment of such a formal common framework and standards for multilingual communication through EU websites. EU communication via the internet should be subject to multilingualism

obligations not only regarding the content defined in this study as "core" but also for "primary" content.

- **Recommendation 2: Institutionalise regular monitoring of compliance and transparency.** Compliance with Regulation No. 1 and with the language regimes of the various EU institutions should be monitored in a periodic report on multilingualism, showing in a transparent manner the level of resources invested in language services and the various activities supporting the promotion of multilingualism. This report should also monitor the degree of multilingualism of the websites of EU institutions, particularly the European Commission and the European Central Bank, as well as EU bodies and agencies. The typology and methods of technical analysis developed in this study may help in this regard in order to prioritise documents, rationalise translation costs and comply with EU law.

- **Recommendation 3: Establish an Officer of Multilingualism.** An Officer of Multilingualism in the EU should be established to draw up a review and a periodic monitoring report. The Officer would be accountable to Parliament. Systematic comparison between institutions, bodies and agencies on multilingualism compliance and transparency can promote learning and diffusion of best practices. This would give substance to the practical recommendations to guide the EU administration on the use of the 24 official EU languages when communicating with the public provided by the European Ombudsman in 2019. This task, however, should not be delegated to designated "language officers" within the various administrative units of the organisation, but centralised at the level of Officer of Multilingualism responsible to the European Parliament. This would give the Officer a high profile and powers, and demonstrate that the EU takes multilingualism seriously. It is worth noting that other multilingual public administrations already have a comparable office in place e.g. the Coordinator for Multilingualism in the United Nations, the Commissioner of Official Languages in Canada, and the Federal Delegate for Plurilingualism in Switzerland.

- **Recommendation 4: Promote the use of official languages in digital communication in order to improve accessibility and closeness to citizens.** Using English only or the procedural languages English, French and German for communicating with the general public is not the most effective policy to connect with citizens through digital media, given that most Europeans are not proficient in these languages. Rather, it can reinforce the feeling that the EU is distant and disconnected from citizens' everyday lives. Accessibility and closeness to citizens would improve if institutions, bodies and agencies adopted more multilingual approaches in their communication.

- **Recommendation 5: Increase the EU budget allocations for multilingualism.** In the forthcoming EU budget review and the debate on the post-2028 EU Multi-annual Financial Framework, the EP's CULT committee should make the case for ring-fencing a specific and increased budget share of the public administration heading for multilingualism to counter the cuts to translation and interpretation services witnessed in recent years.

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ANNEX 1: WEBSITE LANGUAGE POLICY OF EU INSTITUTIONS, BODIES AND AGENCIES, AND AGENCIES' LANGUAGE REGIME

This Annex reports the verbatim transcription of (a) the website language policy for EU institutions, bodies and agencies, and (b) of the language regime of the agencies.

A1.1 EU Institutions

The **European Parliament** does not have a website language policy, but it has a webpage summarising the EU language policy in general.[83] The **European Council** and the **Council of the European Union** have a website language policy, reported here:[84]

> The General Secretariat of the Council of the EU (GSC) aims to make its website as accessible as possible to its users. For this reason, the default language policy applied on the website is to publish all content in all official EU languages. There are a few exceptions to that rule: certain information is published online either in English and French or in English only.
>
> *Which languages are used on this website?* This website uses the 24 official EU languages: Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish.
>
> *How are languages used on the Council website?* The website uses three different language policies: (i) content published in all 24 official EU languages; (ii) content published only in English or in English and French; (iii) content published in English, French and any other relevant languages. The default language policy is to publish all content in all official EU languages at the same time. This includes official documents in the Council's public register. The only exception to this rule is certain content published in the 'meetings' section and the 'news and media' section of the website.
>
> *Meetings*. Information on the Council and Eurogroup meetings, such as the main points for discussion and the location and date of the meeting is available in all official EU languages. A summary of the main developments and decisions taken at each meeting is also published in all of the official EU languages. However, a number of documents with more detailed information are published either in English and French or in English only. Information on European Council meetings is published in all EU languages.
>
> *Press products*. Due to the specialist nature of its intended audience, a number of press products are only published in English or in English and French. This includes: (i) statements by the Eurogroup and the President of the Eurogroup; (ii) the press office's fortnightly planning; (iii) media advisory announcements published ahead of specific events, such as summits with non-EU countries; (iv) statements, remarks and speeches made by the President of the European Council - these are also often published in other relevant languages on the basis of their subject matter. Due to the need to communicate to the press quickly on certain issues, press releases are often first published in their original language before being translated into the other 23 EU languages. We endeavour to publish translated versions as quickly as possible after the original version, and each new language version is published as soon as it becomes available.

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[83]   Available here: https://www.europarl.europa.eu/factsheets/en/sheet/142/language-policy
[84]   Available here: https://www.consilium.europa.eu/en/about-site/language-policy/ (joint website)

Why can I not find information in my language? The GSC aims to provide the users of its website with as much up-to-date information as possible in the language they best understand. However, we have a limited translation budget and resources. This unfortunately means that we cannot get all our content translated into all EU languages in a timely manner. We therefore concentrate our resources on ensuring that key content is available in all official languages, while limiting the language choices for content aimed at specialised audiences, such as the press. Although some website content may not be available in your language, you can still access EU legislation and official Council and European Council documents in all 24 official EU languages via the public register.

The European Commission's language policy website is contained in the page "Languages on our websites" as follows:[85]

Information in many languages. We aim to provide information on our websites in all 24 EU official languages. If content is not available in your chosen EU language, more and more websites offer eTranslation, the Commission's machine translation service. We aim to strike a reasonable balance between respect for speakers of the EU's many languages and practical considerations such as limited resources for translation. Some content, such as legislation, is always available in all EU languages. Other content might be available only in languages that user research tells us will reach the largest audience. All content is published in at least English, because research has shown that with English we can reach around 90% of visitors to our sites in either their preferred foreign language or their native language.

Which languages are used on our webpages? Priority content, legislation, key political documents and some of the other most visited Commission-managed webpages on the 'Europa' web domain, such as the 'Official website of the European Union', are available in all 24 EU official languages. Urgent or short-lived information may appear first in just a few or even just one language. Other languages may be added later, depending on user needs. Specialised information (technical info, campaigns, calls for tender, local news and events) may be available in a few or even just one language – the choice depends on the target audience.

The website of the **Court of Justice of the European Union** does not contain a section on multilingualism management in external communication.

The **European Central Bank** clarifies the language policy of its website as follows:

On this website you will find information about the activities of the European Central Bank in the 24 official languages of the EU. All information is available in English, but we make sure that key content, and especially information likely to be of interest to European citizens, is available in other official EU languages too.

What can you find in your language? The homepage, all pages in the sections "About", "Explainers" and "The Euro", and the entry pages to all nine sections are available in English and other official EU languages. So are our monetary policy decisions, our annual report and selected information about our monetary policy strategy, as well as other texts. Some website content is translated into selected EU languages and may be available in a language that you understand, even if it is not your native tongue. Some speeches, interviews and blog posts by the President and other Board members are also available in languages other than English. Press releases are normally made available in English and, if relevant to the wider public beyond expert audiences, in other official EU languages. ECB legislation is generally published in all

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[85] Available here: https://ec.europa.eu/info/languages-our-websites_en

official EU languages and is available in EUR-Lex. You can find content on our public consultations in a selection of languages. We accept contributions to public consultations in all official EU languages. You may also find information about the euro and other related topics in your chosen language on the websites of the EU national central banks.

Application of our language policy. If you accept our cookies, you help us get aggregate statistics on the demand for translations of individual pages and sections of our website. This means we can target what to translate in future. If a webpage is not yet available in your chosen language, you will find a statement to that effect on the page. The ECB's Directorate-General Communications takes care of applying this language policy. If you would like to ask the European Central Bank a question, you can do so by writing to us at info@ecb.europa.eu in any official EU language.

The **European Court of Auditors** language policy is explained in its "Communication Policies and Standards"[86] and "Communications policy and principles"[87]. The first document simply summarises the official language regime of the ECA, and does not concern communication via the internet. The second document contains a description of the Court's approach to digital communication:

Communications principles. The ECA communicates online and through audit reports and other publications, events and the press and media. All its audit reports and opinions are available in all official EU languages on its website at www.eca.europa.eu and via the EU Bookshop. The ECA's website is its principal information platform.

Language policy. The ECA draws up audit reports and issues opinions on all of the European Union's fields of activity. When they are published in the Official Journal of the European Union, these documents must be available in the official languages of the Union. The ECA publishes all its reports and other products on its multilingual website, so that EU citizens can read them in their own language. Communications on our social media are in English.

A1.2 EU Bodies

This section presents a summary of the website language policy of EU bodies when explicitly stated on their website. The verbatim transcription is provided in section A1.3.

Four out of seven EU bodies have published a website language policy. The website language policy of the **European External Action Service**[88] is based on the following criteria: (i) content published in all 24 official EU languages, e.g. Statements on behalf of the EU, Council Conclusions, the "About us" section; (ii) content published only in English and French, e.g. Statements by the High Representative (HR) / Vice-President (VP) and by the Spokespersons; (iii) content published in English and any other relevant languages, e.g. Press releases, press statements, speeches and remarks, blog posts by the HR/VP, selected web features. The webpage also states that social media accounts operate primarily in English, and that requests for information, managed by the Europe Direct Contact Centre, can be submitted in any EU official language. The website, however, is available in English only with some sections in French. The language in which users are viewing the website should be indicated at the top

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of each webpage, but in practice only English and French are visible. The "spotlight" section is multilingual.

The **EESC** does not have a webpage devoted to its language policy.

The website language policy of the **European CoR** aims to provide "you with information in your own language - or one you can understand - depending on what kind of information you are looking for".[89] It explains in which languages the website sections should be in principle be available, the constraints faced and the criteria followed where content is available in few languages. Machine translation is offered on a selected number of pages.

The website of the **European Investment Bank** "aims to provide you with the information you are looking for in your own language or in a language you can understand, depending on the nature of the information" but in practice the navigation and content of the website is available in English, French and German.[90]

The **European Ombudsman** explains its website language policy as well as its social media language choices in its "language policy",[91] the most comprehensive among the language policies of EU bodies, as shown in the section A1.3.4, where the text is reported verbatim.

The trilingual website of **European Data Protection Supervisor** does not contain a page devoted to language policy. Language policy is sometimes mentioned in the EDPS's annual reports, but only to recall that the EDPS tries to use a transparent style of language, and that it tries to publish press releases at least in English, French and German[92].

The website of the **European Data Protection Board** does not contain a page about language policy.

A1.3 Complete website language policy of EU bodies

This section reports *verbatim* the transcription of content of the webpages of EU bodies where the website language policy is explained. A summary of the main points and references to the URLs are reported in the footnotes of section A1.2. Some webpages may contain additional information. This section complements section A1.2 with further detail.

A1.3.1 European External Action Service (EEAS)

EEAS Language policy

The European External Action Service communicates on European external policies and actions with EU citizens and audiences around the world.

We aim to make our content as accessible as possible to users. Nevertheless, we have to strike a reasonable balance between respect for speakers of the EU's many languages and non-EU local languages, and practical considerations such as timeliness, efficiency and the cost of translation, which is funded by EU taxpayers.

Some types of content, such as EU legislation, Council Conclusions or EU Statements are available in all EU languages. Other content may be available in one language only or in a combination of languages,

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89   Available here: https://cor.europa.eu/en/Pages/language-policy.aspx
90   Available here: https://www.eib.org/en/languages.htm
91   Available here: https://www.ombudsman.europa.eu/fr/languagepolicy/en
92   Available here: https://edps.europa.eu/sites/edp/files/publication/ar2011_en.pdf

depending on the given target audience(s) and our assessment of how to reach the largest audience in the most efficient and effective manner.

EEAS website

The language policy of the EEAS website is based on the following 3 criteria:

1. content published in all 24 official EU languages, e.g. Statements on behalf of the EU, Council Conclusions, the "About us" section
2. content published only in English and French, e.g. Statements by the High Representative / Vice-President and by the Spokespersons
3. content published in English and any other relevant languages, e.g. Press releases, press statements, speeches and remarks, blog posts by the HR/VP, selected web features

- The webpages of the EEAS Delegations to third countries, Military and Civilian missions and operations and Electoral Observation missions, hosted on the EEAS website, provide information in English and the local language(s) of the respective countries. Local press statements are normally in one EU official language and the local language.
- The EEAS also operates a Russian-language website.
- The language in which users are viewing the website is indicated at the top of each webpage. Clicking on the icon allows users to switch to another language. The language in which a webpage is available is specified.
- New content is continually being added and updated on this website. This means that if a translation is not available, it might simply still be going through the translation process. We publish translations as they become available.
- The EEAS website will progressively take the following approach:
    - Straightforward information with a long time span for the general public will be gradually offered in all EU official languages, besides other relevant language(s) depending on the readership.
    - The use of machine translation for EU official languages will be considered for informative texts as long as the user is duly informed of the process.
    - Short-lived or very specialised information will generally appear in a few languages – or even just one – depending on the audience.

EEAS social media

- The EEAS HQ social media accounts operate primarily in English. To the extent possible, we diversify our content language-wise and depending on the audience, for dissemination by EU Representations, Delegations or other partners.
- EEAS Delegations engage in social media outreach in the relevant local languages.

Public Consultations, Requests for information and access to documents

- Requests for information, managed by the Europe Direct Contact Centre, can be submitted in any EU official language. The EEAS reply is provided in the same language.
- Requests for access to documents can also be made in any EU official language. For reasons of efficiency and to ensure rapid response, the EEAS policy is to ask the requestor whether a response in either English or French is acceptable. In case of a negative response, the reply is provided in the language of the requestor.

Public Consultations, in the form on online questionnaires open to EU citizens in order to allow them to participate in the EU policymaking process, are always available in at least English, French and German and often in most EU languages. Responses can be submitted in any official EU language. EEAS stakeholder consultations targeting external audiences are available in the relevant languages.

A1.3.2 European Committee of the Regions (CoR)

Language policy

Our aim is to provide you with information in your own language - or one you can understand - depending on what kind of information you are looking for.

Official languages of the EU

Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish.

Languages in which different information is published on the website of the Committee of the Regions

- Website navigation structure - Published in the EU official languages.
- General information - Published in the EU official languages as and when it is translated.
- Official documents, documents of political importance, plenary session information and documents - Published in all EU official languages
- Information which is urgent or has a short lifespan (news, events,…) - Not published in all languages. The choice of the language(s) depends on the target audience of the information.
- Specialised information (technical information, work in progress, calls for tender) - Mainly published in English.
- National and regional targeted information (Europe in my region) - Published in the language of the country. Contact forms and answers to your messages - Messages can be submitted in any EU official language and answers are provided when possible in the same language. An alternative preferred language (English, French or German) is requested to ensure swift reply.

Surprised some information isn't available in your language?

- Website visitors are sometimes surprised that a page isn't available in their language. Generally, the languages available on the Committee of the Regions website depend on the following constraints:
- (legal) importance – the public must have access to all official documents, so these are produced in all official languages. Other documents are translated only into the languages needed (for example, communication with national authorities, organisations or individuals);
- urgency – to be relevant, some types of information need to be published rapidly. Since translation takes time, we prefer to publish quickly in the languages understood by the largest number of Europeans, rather than to wait for translations into all languages;
- cost-effectiveness – to save taxpayers' money, for highly-specialised pages consulted only by a relatively small number of people, the concern is to ensure that most can understand the essence of the information;
- technical constraints – managing a website in over 20 languages is highly complex, requiring a lot of human and financial resources;

- translation – we only have (access to) limited numbers of translators and a limited budget for translation (all taxpayers' money).

However, on a selected number of pages we offer you the possibility of requesting an automatic machine translation provided by the European Commission's eTranslation service:

- A machine translation can give you a basic idea of the content in a language you understand. It should nevertheless be borne in mind that it involves no human intervention and that the quality and accuracy of machine translation can vary significantly from one text to another and between different language pairs.

    We would welcome your feedback on machine translation!

A1.3.3 European Investment Bank

<u>Language policy of the website</u>

What languages is the EIB web site available in?

The EIB aims to provide you with the information you are looking for in your own language or in a language you can understand, depending on the nature of the information. Official documents are available in at least the languages which were official at the date of publication. Other documents, of a non legally binding nature, are frequently published in English, French and German. General information on the homepage, the sections immediately accessible from the homepage and the indexes are, as far as possible, available in English, French and German. Specialised information is generally available in at least two languages, the ones most commonly used by the audience the information is intended for.

<u>How do languages work on the EIB web site?</u>

The navigation and content of the website is typically available in three languages: English, French and German. Access to these versions does not require any cookies or browser detection. The language is identified in the URL of the page, i.e. English (www.eib.org/en), French (www.eib.org/fr) and German (www.eib.org/de).

Where other languages are available, there is an option provided on each page under the title to change the language of the page content. Cookies are used to set this language preference during the browsing session and removed at the end of the session. Choosing one of these languages will change the language of the page whilst the navigation of the page remains in the language defined in the URL.

A1.3.4 European Ombudsman

The European Ombudsman is firmly committed to the principle of multilingualism because cultural and linguistic diversity is one of the greatest assets of the European Union. The Ombudsman acts as a bridge between the European public and the EU in ensuring that the EU institutions adhere to the highest ethical, administrative and transparency standards. Addressing citizens in their own language is key to making the EU more accessible and accountable which in turn is essential for the success of the EU's democratic system.

The European Ombudsman tries to find a pragmatic balance between the principle of multilingualism and her obligation to use her limited resources in the most effective way. Where justified, the Ombudsman may decide to publish certain documents in a limited number of languages.

The following overview explains the Ombudsman's language choices concerning the most important communications and publications.

Communication with complainants and the public

Every EU citizen or resident has the right to use any of the 24 official languages in correspondence with the EU institutions, which have to reply in the same language. This principle applies to contacts with the European Ombudsman as well. All complaints, requests for information and any other requests may be sent and will be answered in any of the official EU languages.

The Ombudsman's website is available in all 24 EU languages, including the electronic complaint form and the interactive guide, which helps users to find the appropriate problem-solving mechanism at EU level or in the Member States. Where a complainant is dissatisfied with the services of the Ombudsman, he or she can get advice on where to turn in an EU language of his or her choice.

The Ombudsman's key publications, such as the annual report, the service brochure "Who can help you?", and the Ombudsman's guidelines for businesses are available in all 24 EU languages. The same applies to information about the current European Ombudsman, Emily O'Reilly, as well as her predecessors. The European Code of Good Administrative Behaviour is available in all 24 EU languages as well as in the languages of EU candidate countries.

Case related work

The Ombudsman receives and handles complaints in all official EU languages. Most of her investigations, except those dealt with in an informal procedure (for example, by telephone), are published on her website. The language policy for the different case related documents is as follows:

- Recommendations and decisions are published in the language of the complainant and in English.
- Summaries of cases which have a wider public interest are published in all 24 languages.
- Special Reports are published in all 24 EU languages.
- Own-initiative investigations are published in English, together with summaries in all EU languages.
- Brief information about cases opened is available in English.
- Public consultations are published in all 24 EU languages. However, where justified, the Ombudsman may decide to invite feedback from targeted audiences in a limited number of EU languages.
- Follow-up studies are available in all 24 EU languages.

Strategic and organisational documents

Most of the Ombudsman's strategic and organisational documents, such as her statute, strategy, public register, and her Code of Conduct are available in all EU languages. The same applies to her public tender announcements. Her annual management plan or other more specific strategic documents are available in a limited number of EU languages.

Media and social media activities

The Ombudsman regularly informs journalists about her investigations and other news. As most of the relevant journalists are Brussels-based EU correspondents who need timely information and tend to

master English, German or French, she publishes her press releases in those languages only. In cases of extreme time pressure, she may decide to publish press texts in English only.

The Ombudsman is increasingly using social media platforms to reach out to the public. Content published on these platforms is mostly in English due to their international outreach. She also publishes press releases, information about meetings and events and other news in English, German and French. The Ombudsman's publications and videos are spread on different social media channels in the 24 official EU languages.

Communication with the European Network of Ombudsmen

The European Ombudsman coordinates the European Network of Ombudsmen which consists of over 95 offices in 36 European countries. The network members regularly exchange experiences and best practices via seminars and meetings, a newsletter, an electronic discussion forum and a daily electronic news service. Information about the Network as well as a joint statement are available in all 24 EU languages. The languages used within the Network are Spanish, German, English, French, and Italian.

Internal communication and recruitment

The Ombudsman's team is multicultural and covers a wide range of official EU languages. Wherever possible, cases, information requests or telephone calls are dealt with by a staff member whose mother tongue is the language of the applicant or equivalent. If a language cannot be covered in-house, the Ombudsman uses external translation services.

The internal working languages are mainly English and French. Information about job openings in the Ombudsman's office is available in all EU languages. However, the specific calls for applications are mostly published in English, as a high level in English is a precondition for most Ombudsman posts.

A1.4 Language regime and website language policy of EU agencies

The list of agencies in this table follows the official protocol order. It refers both to legal acts (i.e. funding Regulation and/or Internal Rules), and to language policy as stated on the website. The language regime and the website language policy (if it exists) are presented together on the right column since the latter sometimes clarifies the former. Regulations, decisions and website language policy are divided with a dotted line separation to facilitate reading.

Agencies	Sources of language regime and website language policy (if it exists)	Contents of the relevant provisions
Agency for support for BEREC	Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office)	Art. 46, par. 1. "**Regulation No 1** shall apply to the BEREC Office"
	Decision No MC/2016/02 of the Management Committee of the BEREC Office) on the working language regime at the BEREC Office	Article 1 "The **working language** of the BEREC Office is **English**. This shall not prevent the BEREC Office from using other European Union official languages as it might be considered appropriate"
Authority for European political parties and European political foundations	Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations	Article 6, par. 8. "**Regulation No 1** shall apply to the Authority. The translation services required for the functioning of the Authority and the Register shall be provided by the Translation Centre for the Bodies of the European Union"
Community Plant Variety Office	Council Regulation EC N° 2100/94 of July 1994 on Community Plant variety rights	Art. 34, par. 1. "The provisions laid down in **Regulation No 1** […], shall apply regarding the Office" Art. 34, par. 2. "**Applications to the Office**, the documents required to process such applications and all other papers submitted shall be filed **in one of the official languages** of the European Communities."

		Art. 34, par. 3. "Parties to proceedings before the Office […], shall be entitled, to conduct **written and oral proceedings in any official language** of the European Communities with translation and, in the case of hearings, simultaneous interpretation, at least into any other of the official languages of the European Communities chosen by any other party to proceedings. The exercise of these rights does not imply specific charges for the parties to proceedings"
European Agency for Safety and Health at Work	Regulation 2062/94 of the European Parliament and of the Council establishing the European Agency for Safety and Health at Work	Art. 23, par. 1. "The provisions laid down in **Regulation No 1** shall apply to the Agency". Art. 23, par. 2 "The **Management Board** can decide on the languages to be used by the Agency in its internal functioning"
	Webpage about languages : Multilingualism at EU-OSHA | Safety and health at work EU-OSHA (europa.eu) https://osha.europa.eu/en/tools-and-resources/multilingualism	Multilingualism is a vital element of inclusive communication in the European Union and for any pan-European organisation. Making the information, analysis and tools that EU-OSHA develops available in multiple languages means that the Agency can reach more people. Crossing language barriers EU-OSHA works to spread its messages as widely as possible by bringing multilingualism into its everyday activities. It also participates in innovative projects in this area in collaboration with other EU organisations. For EU-OSHA, multilingualism is both a fundamental principle to respect and a pragmatic choice that helps the Agency to carry out its mission. EU-OSHA aims to think creatively and work in a cost-effective way to ensure that its activities are accessible to EU citizens regardless of the languages they speak. To give a few examples: • the Napo animated films are language-free and can be understood and enjoyed by all; • OiRA tools are available in many languages, and users can search for tools by language; • as part of the prize in the Healthy Workplaces Film Award, the winning film is offered to national focal points for subtitling in their languages. Some of the materials EU-OSHA produces are available in 25 European languages. Others, such as some publications, are translated following requests from national focal points. The focal points play an active role in assessing the need for translations and monitoring their quality. The EU-OSHA corporate website Most of EU-OSHA corporate website content is multilingual; the main sections and all the highlights and news releases published on the corporate website are available in 25 languages.

		In 2017, EU-OSHA together with the European Union Intellectual Property Office and the Translation Centre for the Bodies of the European Union won the European Ombudsman Award for Good Administration in the category of Excellence in citizen/customer focused services delivery for their innovative work on a project to facilitate the translation management of multilingual websites. The Healthy Workplaces Campaigns The Healthy Workplaces Campaigns aim to raise awareness across Europe, reaching as many people and small businesses as possible. EU-OSHA thinks it's important that the campaigns are inclusive, so the Agency has all the core campaign materials translated into 25 languages, including the dedicated campaign website, which is the main repository of campaign related information and tools.The rest of the campaign materials and publications are offered for translation to the focal points, which can decide which ones they think will have the most value for them. Helping to ensuring high quality translations EU-OSHA together with the Translation Centre for the Bodies of the European Union (CdT) and the Publications Office of the European Union, implemented a project to update and expand their multilingual thesauruses of occupational safety and health (OSH) terminology. The aim was to help translators achieve consistent, accurate and up-to-date versions of OSH-related texts. The multilingual thesaurus is now integrated with the EU-OSHA website content management system. It contains 2000 new terms with direct translations, definitions, references to sources and contexts, in IATE (the Interinstitutional Terminology Database of the European Union, maintained by CdT) and in EuroVoc (the Publications Office's multilingual thesaurus). All translations have been revised by the Agency national focal points to ensure their accuracy. The terms are used to tag publications and other type of content allowing searchers to find OSH data in an easier and more efficient way. In the frame of the Healthy Workplaces Campaign, EU-OSHA has also prepared glossaries in particular areas of OSH knowledge. They can be found in the campaign website and in the relevant sections on the corporate website.

European Banking Authority	Regulation (EU) No 1093/2010 of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority)	Art. 73, par. 1. "Council **Regulation No 1** […] shall apply to the Authority. Art. 73 par. 2. "**The Management Board shall decide on the internal language arrangements for the Authority**"
	Decision of the Management Board on Internal Language Arrangements of the European Banking Authority of 12 January 2011	Art.1 "Internal working language The internal working language of EBA is **English**"
European Border and Coast Guard Agency	Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard	Art. 113, par. 1. "**Regulation No 1** shall apply to the Agency. Art. 113, par 2. "Without prejudice to decisions taken on the basis of Article 342 TFEU, the **annual activity report** and the work programme shall be produced in **all official languages** of the Union
European Centre for Disease Prevention and Control	Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for disease prevention and control	Article 14: "The **Management Board** shall determine by unanimity of its members the rules governing the languages of the Centre, including the **possibility of a distinction between the internal workings of the Centre and the external communication**, taking into account the need to ensure access to, and participation in, the work of the Centre by all interested parties in both cases"
	Use of languages on the website, statement: Language policy (europa.eu)	"**Key publications for the general public are provided in all official EU languages, plus Icelandic and Norwegian**, within available budget. Due to the high cost of translation, **content targeted at the expert community is provided in English only.** However, **some documents targeted at less technical audiences, for example, policymakers, are also translated after consultation with the Member States,** via their National Focal Points (NFPs) for communication, considering the public health relevance in each target language and weighting it against the cost implications. **Job vacancies are translated** into all official EU languages. The European Antibiotic Awareness Day (EAAD) campaign website and the European Vaccination Information Portal (EVIP) are translated into all official EU languages; EAAD is also available in Icelandic and Norwegian".
European Centre for the Development of Vocational Training	Regulation (EU) 2019/128 of the European Parliament and of the Council of 16 January 2019 establishing a European Centre for the Development of Vocational Training (Cedefop)	Art. 22, par. 1. "The provisions laid down in Council **Regulation No 1** shall apply to Cedefop"

European Chemicals Agency	Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency No website language policy to assess	Article 104, par. 1. "**Regulation No 1** […] shall apply to the Agency"
European Cybersecurity Industrial, Technology and Research Competence Centre	Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres	No provision about language arrangements
European Environment Agency	Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network	No provision about language arrangements
	Reference to the use of languages on the website EEA Translation Policy — European Environment Agency (europa.eu)	EEA Translation Policy "The EEA's role is to provide 'timely, targeted, relevant and reliable information to policymaking agents and the public'. In line with the European Commission's guidelines (Common Approach to EU Agencies) and the European Ombudsman's recommendations for the EU administration, **the EEA is committed to have as much information as possible available in European languages**. The main objective of translations is to make EEA information accessible and usable by a larger segment of the stakeholder groups and the public. Objectives The EEA translation policy has the following objectives: - make EEA information accessible to and usable by larger segments of target audiences; - support multilingual content and information, as recommended for all EU institutions; - optimise the use of available translation resources in view of user needs and actual use; - ensure high quality. What we translate

		EEA outputs are drafted in English. **Translation requests** are decided on the basis of the availability of funds and the impact and relevance of the information for the target audience. Given that the EEA has limited resources for translations, **priority is often given to texts which are targeting broader audiences (e.g. generic, non-technical content) or to texts with legal obligations**. Several criteria are taken into account when deciding the content for translation and the target languages: **- legal requirements** **- availability of funds** **- whether it provides basic information about the EEA** **- potential outreach impact on target audiences,** determined by: o accessibility of the original text and content (technical vs non-technical) o messages in the original text and their relevance in member countries o specific requests by member countries o events (with policy makers or the public) o possibility to use and reuse the same content in multiple formats (print-online; infographic-presentation). This preference is based on the assumption that technical environmental experts are more likely to master English and able to access technical EEA knowledge. The content might be translated **into all or a selection of EEA languages**, e.g. a news item where several countries are mentioned might be translated into the languages of those countries. The EEA content is translated not only to official EU languages, but also into Norwegian, Turkish and Icelandic given the respective country's membership of the EEA network. **The most frequently translated EEA content are newsletter articles, press releases, infographics and webpages**. With current available resources, the EEA provides content only in English through its social media channels. <u>Direct communication with the public</u> In accordance with Article 41 of the Charter of Fundamental Rights of the European Union, enquirers shall receive an answer to the questions addressed to the EEA in the language of the initial letter/email, provided this latter was written in one of the official languages of the European Union. In-house resources are used to offer this service.
European Fisheries Control Agency	Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a European Fisheries Control Agency	No provision about language arrangement
	In recruitment notice (for eg: <u>Senior Enterprise Business Architect</u>)	"The Agency follows a practise of using English as working language"

European Food Safety Authority	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law	No provision about language arrangement
	Information on the use of languages provided on the website ([EFSA goes Spanish	EFSA (europa.eu)](https://www.efsa.europa.eu))	"EFSA's website is now available in Spanish, one of the most widely spoken languages in the world. The addition of Spanish means that all EFSA's essential information, news stories and background materials are accessible in five languages – the content is already available in English, French, German and Italian.

The launch of a Spanish version of the website marks the beginning of the gradual introduction of full EU-24 multilingualism to EFSA's communications.

In addition to the 46 million citizens of Spain, there are around 400 million Spanish native speakers in the word. After Mandarin Chinese, Hindustani and English, Spanish is the most widely spoken language in the world.

As well as broadening the reach of EFSA's communications, the addition of Spanish is also a response to the new European Transparency Regulation, which emphasises the need for EFSA and other EU bodies to be as clear and accessible as possible when communicating with the general public.

EFSA Linguistic Services worked hand in hand with the Translation Centre for the Bodies of the European Union (CdT), which translated a wide selection of the most popular EFSA web pages.
Basic information about EFSA is **already available in all the official EU languages in EFSA's Corporate Brochure "Science protecting consumers from field to fork"**. The document is available on the EFSA website as well as on the EU Bookshop website. **All EFSA vacancy notices for recruiting staff are available in all 24 EU official languages.**
English, as the EU lingua franca, remains the main language used for all EFSA communications externally and in-house.
EFSA is a forward-looking organisation keen to have a state-of-the-art approach to communications, one of the main pillars of its mandate. To pursue this goal, EFSA is planning to avail itself of new technologies such artificial intelligence and automated translation in its current and future approach to multilingualism". |
| European Foundation for the Improvement of Living and | Regulation (EU) 2019/127 of the European Parliament and of the Council of 16 January 2019 establishing the European Foundation for | Art. 23 par. 1. "The provisions laid down in Council **Regulation No 1** shall apply to Eurofound" |

Working Conditions	the improvement of living and working conditions (Eurofound)	
	Eurofound Communication Strategy ([Eurofound Communication strategy (europa.eu)](#))	Guiding principles: "8. Eurofound respects the role of multilingualism in communicating across the European Union and recognises the importance of Europeans being able to access information in their own languages. Eurofound will continue to adopt a pragmatic and cost-effective approach to this process […] National level communication will continue to include translation of Eurofound outputs and web information to facilitate access for all users across the Member States. The evaluation of national level user information will feed into an overall process that will allow Eurofound respond better and more specifically to the national level language requirements. […] Eurofound also provides an RSS news feed facility, as well as publication-specific electronic mail shots. Language-differentiated online dissemination is aimed at ensuring optimal access for Eurofound target groups at Member State level, and proactive push policies that circulate email links to language versions of executive summaries will continue as part of these efforts.
	Information provided on the website, website language policy ([Multilingualism | Eurofound (europa.eu)](#))	Eurofound's language policy is implemented in the context of its current work programme and guided by Eurofound's corporate communication strategy. Three principles of the strategy inform Eurofound's multilingual approach. • "[…]. • Eurofound respects the role of multilingualism in communicating across the EU and recognises the importance of Europeans being able to access information in their own languages. Eurofound's website is multilingual, to the following extent. • Multilingual navigation is available throughout the website. • A number of top-level landing pages are translated into all languages. 'All languages' refers to all 24 official languages of the EU, apart from Irish and Maltese, for which translation has been limited due to very low uptake. The same applies to selected key pages, such as the 'About Eurofound' content and pages relating to Eurofound surveys. The data visualisation tool presenting survey data is available in all languages. • Translated publications are published online. The translation programme for publications includes the following.

		• Executive summaries of publications are translated into all languages. • The Living and working in Europe Yearbook and certain other key publications are translated into French, German and up to three additional languages as required. • Corporate and promotional material is translated as required. • Ad hoc and on-demand requests for translation of specific publications are reviewed on a case-by-case basis. Interpretation at events organised by Eurofound will be provided for the relevant language(s) where possible. Eurofound will continue to adopt a pragmatic and cost-effective approach to implementing its language policy. Its intention is to enable wide-scale multilingual provision to optimise access for users across the Member States while also responding to demand-driven needs where appropriate. The language policy and its implementation are kept under review in light of Eurofound's work programme, communication priorities and available resources".
European Institute for Gender Equality	Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality	Art.16, par. 1. "The provisions laid down in **Regulation No 1** […] shall apply to the Institute"
	Recruitment notice (Seconded National Expert (SNE) – Communications | European Institute for Gender Equality (europa.eu))	"**English** […] is the predominant working language at the Institute"
European Insurance and Occupational Pensions Authority	Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority)	Art. 73, par. 1. "[…] **Regulation No 1** […] shall apply to the Authority". Art. 73, par. 2. "**The Management Board shall decide on the internal language arrangements for the Authority**"

	Decision of the Management Board on Internal Language Arrangements, EIOPA-MB-11/003, 10 jan. 2011	Article 1: Internal working language: "**The internal working language of EIOPA is English**"
European Labour Authority	Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority	Art. 35, par. 1. "The provisions laid down in Council **Regulation No 1** shall apply to the Authority"
European Maritime Safety Agency	Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency	Art. 9, par. 1. "The provisions laid down in **Regulation No 1** […] shall apply to the Agency"
	Information provided on the website ([Transparency Portal - Administrative structure - EMSA - European Maritime Safety Agency (europa.eu)](#))	EMSA in your language "It's important to us that EU citizens are able to access core information about EMSA in their own language. We have translated parts of our website into 24 EU languages for that reason, and our 5-year strategy (2020-2024) is also available in 24 EU languages. In addition, we regularly add multilingual content to our website, including translations of our key reporting work."
European Medicines Agency	Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency	No provision about language arrangement
	Information provided on the website ([How the committees work	European Medicines Agency (europa.eu)](#))	"The working language of all of the EMA committees is **English**. This includes plenary discussions, working documents and correspondence. EMA does not provide interpretation and translation services".

European Monitoring Centre for Drugs and Drug Addiction	Regulation (EC) No 1920/2006 of the European Parliament and of the Council of 12 December 2006 on the European Monitoring Centre for Drugs and Drug Addiction	No provision about language arrangement
	EMCDDA communication strategy (https://www.emcdda.europa.eu/system/files/publications/733/Communication_strategy_2012_451772.pdf)	"Focus on: streamlining multilingual content: **EU citizens have the right to access information in their national language**. Maintaining respect for linguistic diversity is vital for an EU agency, but it is also an ongoing challenge. The **EMCDDA produces a selection of its outputs in all EU languages plus Norwegian, Croatian and Turkish**. Activities in international cooperation require the EMCDDA to accommodate new language groups, e.g. languages of the Instrument for Pre-Accession Assistance (IPA and the European Neighbourhood Policy (ENP) beneficiaries. The agency's linguistic policy is based on a thorough assessment of need, privileging quality over quantity. In many cases**, the target audience dictates the most sensible language policy for a given product (e.g. 'general public' outputs in national languages; technical outputs in English).** This, combined with download and distribution figures on different language versions, forms the backbone to decisions on producing multilingual content. In order to improve its relevance and timeliness, the annual report will be reconceived as a concise summary (to be translated into all languages) accompanied by a topic-based review (available in English with highlights incorporated into translated news releases). Instruments to implement this policy include: **multilingual summaries of longer documents in English; online translation tools; more tools to boost translation quality** (e.g. multilingual glossary, external cross-language providers); short online information sheets in a range of languages and more needs based communication in selected languages. The agency is pleased to note an increasing number of 'spontaneous translations' of its products (e.g. national focal point translations of practical manuals and guidance) and a new set of procedures and guidelines will be required to underpin these products".
European Public Prosecutor's Office	Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')	Art. 7 Reporting Par. 1. "Every year the EPPO shall draw up and publicly issue an annual report on its general activities in the official languages of the institutions of the Union". Art. 107 Language arrangements Par. 1. **Regulation No 1/58** "shall apply to the acts referred to in Articles 21 [**internal rules**] and 114 [**Implementing rules and programme documents**] of this Regulation". Par. 2. "The **College** shall decide by a two-thirds majority of its members on the internal language arrangements of the EPPO". Par. 3. "The translation services required for the administrative functioning of the EPPO at the central level shall be provided by

		the Translation Centre of the bodies of the European Union, unless the urgency of the matter requires another solution. European Delegated Prosecutors shall decide on the modalities of translation for the purpose of investigations in accordance with applicable national law".
	Decision of the College of the EPPO 30 September 2020 on internal language arrangements	Article 1: Par. 1. "**The working language for the operational and administrative activities of the EPPO shall be English**". Par. 2. "**French shall be used along with English in the relations with the Court of Justice of the European Union**"
European Securities and Markets Authority	Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority)	Art. 73, par. 1. "Council **Regulation No 1** […] shall apply to the Authority. Art. 73, par. 2. "The Management Board shall decide on the internal language arrangements for the Authority".
	Decision of the Management Board, 11 January 2011 ESMA/2011/MB/3	Art. 1 – Internal working language "The **internal working language of ESMA is English**".
European Training Foundation	Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008 establishing a European Training Foundation	Art. 8 par. 2. "The **Governing Board shall determine**, by a unanimous decision of its members entitled to vote, **rules governing the languages** of the Foundation, taking into account the need to ensure access to, and participation in, the work of the Foundation by all interested parties"
	Decision of the Governing board of the EFT, GB/09/DEC/017	Working languages Art. 10 "The working languages of the Governing Board shall be **English, French, German, Italian and Spanish**".
European Union Agency for Asylum	Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum	Art. 62, par. 1 "**Regulation No 1** shall apply to the Agency" Art. 62, par. 2. " Without prejudice to decisions taken on the basis of Article 342 TFEU, the **consolidated annual report** on the Agency's activities and programming documents as referred to in Article 42 shall be produced in **all official languages** of the institutions of the Union".

		Art. 62, par 3. "The Translation Centre of the bodies of the European Union shall provide the translation services required for the functioning of the Agency"
European Union Agency for Criminal Justice Cooperation	Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust)	Art. 33, par. 1. "Council **Regulation No 1** shall apply to the Agency". Art. 33, par. 2. "Without prejudice to decisions taken pursuant to Article 342 TFEU, the single programming document […] and the annual activity report […]shall be produced in all official languages of the institutions of the Union". Art. 33, par. 3. "The **Management Board** may adopt a decision on working languages without prejudice to the obligations set out in paragraphs 1 and 2".
	College Decision 2020-08 of 27 November 2020 concerning Eurojust's internal language arrangements	**"the working language is English"**
	Information on the use of languages provided on website Language use in external communication (europa.eu) https://www.eurojust.europa.eu/about-us/good-administrative-behaviour/language-policy	**"**Language use in Eurojust's external communication Eurojust uses, in its communication with its partners in the Member States and EU citizens, all official languages of the European Union. While **Eurojust documents that are intended for public distribution are created primarily in English**, **they shall be translated to other languages as described in this policy**. Public planning and reporting documents Eurojust translates the following documents to **all official languages**: • **Single Programming Document (including Annual Work Programme and Budget)** • **Annual Report** Public reports of Eurojust operational work, working arrangements Reports from studies and strategic projects and guidelines produced by Eurojust based on casework experience are drafted in English. **Eurojust translates to all official languages**: • The full text of **practical guidelines and handbooks to be used by practitioners in their daily work**; • The **executive summary / results of studies and strategic projects.** Eurojust also translated to all official languages the **full text of working arrangements concluded with third parties.** Public inquiries, requests for access to documents, requests for access to personal data When answering requests from the public, Eurojust responds in the language of the request. To avoid delayed responses due to translation needs, Eurojust translates standard responses to requests for information, access to documents and access to

		personal data, and relies on native speakers from Eurojust post holders to adjust these as necessary.

personal data, and relies on native speakers from Eurojust post holders to adjust these as necessary.

Press releases and press events
Eurojust publishes press releases **in English**.
If related to **Eurojust operational work**, these and relevant supporting documents are translated **to other languages of impacted Member States or third countries when**
• **the publication timeline allows and**
• **the communication purpose is better served by a translated press release**.
In cases of major institutional developments, if the publication timeline allows, the press release and supporting documents are translated to all official languages.
For press events (press conferences, press briefings), Eurojust arranges interpretation to languages of any particularly impacted Member States when this is possible for the organisation of the event and necessary to achieve a better communication impact.

Website
The **Eurojust website's primary language is English**. This is to **enable Eurojust staff to continuously create, monitor and update content.**
All public products of Eurojust (Annual Report, Single Programing Document, working arrangements with third parties, guidelines, executive summaries of studies and strategic projects, press releases) that are translated to other languages are published on the website in all language versions. The website creates collections of documents in a particular language for ease of use (so-called "country pages").
The pages describing Eurojust's role ("Who we are", "What we do", "How we do it" and "Why it matters") are translated to all official languages. Information on how to contact specific National Desks is published **in the official language(s) of that Member State as well as English**. Other pages may be translated to other official languages if this is essential to achieve a communication purpose and the content is sufficiently stable that the page (and so the translations) does not need updates more than once a year.

Social media
Eurojust's social media channels publish content in English, to allow Eurojust staff in charge of the management of social media to post, exercise quality control and respond to any comments or replies.
Social media apps allow for automated translations of the texts to other official languages

European Union Agency for Cybersecurity	Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification	Art. 40: "Council **Regulation No 1** shall apply to ENISA. **The Member States and the other bodies appointed by the Member States may address ENISA and receive a reply in the official language of the institutions of the Union that they choose**".
European Union Agency for Fundamental Rights	Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights No website language policy to assess	Art. 25, par. 1. "The provisions of **Regulation No 1** of 15 April 1958 shall apply to the Agency". Art. 15, par 2. "The **Management Board** shall decide on the internal language arrangements for the Agency"
European Union Agency for Law Enforcement Cooperation	Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol)	Art. 64, par. 1. "The provisions laid down in **Regulation No 1** shall apply to Europol". 2. The **Management Board** shall decide by a majority of two-thirds of its members on the internal language arrangements of Europol. 3. The translation services required for the functioning of Europol shall be provided by the Translation Centre for the bodies of the European Union.
	Recruitment https://www.europol.europa.eu/cms/sites/default/files/documents/Europol_Recruitment_Guidelines_0.pdf	The working language is English.
European Union Agency for Law Enforcement Training	Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL)	Art. 27, par. 1: "The provisions laid down in **Regulation No 1** shall apply to CEPOL". Art. 25, par. 2. "The **Management Board** shall decide by a majority of two-thirds of its members on the internal language arrangements of CEPOL".
European Union Agency for Railways	Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European Railway Agency	Art. 35, par. 1. "**The Administrative Board shall decide** on the linguistic arrangements for the Agency. At the request of a Member of the Administrative Board, this decision shall be taken by unanimity. The Member States may address the Agency in the Community language of their choice".
European Union Agency for the Cooperation of Energy Regulators	Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for	Article 44, par. 1: "The provisions of Council **Regulation No 1** shall apply to ACER." Art. 44, par. 2. : "The **Administrative Board** shall decide on ACER's internal language arrangements".

	the Cooperation of Energy Regulators	
	Administrative Board Decision AB No 15/2014 on the language regime of the Agency	"3) EU institutions and bodies are granted a degree of **operational autonomy** on the choice of the internal language regime, provided the choice objectively meets the functional needs of the body concerned and does not give rise to unjustified differences of treatment as between Union citizens". Article 1 "Working language of the Agency and its support structures The working language of the Agency shall be **English**".
European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice	Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)	Art. 33, par. 1. "Council **Regulation No 1** shall apply to the Agency". Art. 33, par. 2. "Without prejudice to decisions taken pursuant to Article 342 TFEU, the **single programming document** […] and the **annual activity report** […] shall be produced in all official languages of the institutions of the Union". Art. 33, par. 3. "The **Management Board** may adopt a decision on working languages without prejudice to the obligations set out in paragraphs 1 and 2".
	Information provided on the website (eu-lisa - eu-lisa's approach to multilingualism (europa.eu)	"eu-LISA publishes on its website in all official languages of the institutions of the European Union, as required by the Establishing Regulation (EU No 2018/1726), its: • Programming documents, • Annual Activity reports, • Annual budgets, • Lists of competent authorities which are authorised to search directly the data contained in the Schengen Information System, • lists of Offices of the national systems of SIS II (N.SIS II) and SIRENE Bureaux, • list of designated authorities which have access to data recorded in the Central System of Eurodac (regarding asylum) • eu-LISA official replies to ECA's observations to the annual accounts of the Agency. Various public information material such as leaflets, brochures and factsheets are published in English, French, German and Estonian due to the geographic location of the Agency. The majority of eu-LISA's web content is in English in order to optimise on limited resources and make an efficient use of those available. The Agency introduces linguistic diversity principles gradually, dependent on the resources available and demands presented […]".

European Union Agency for the Space Programme	Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme	Art. 93, par. 1. "Council **Regulation No 1** shall apply to the Agency."
European Union Aviation Safety Agency	Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency	Art. 85 par. 6. "**Upon request of the Member State**, **reports** drawn up by the Agency pursuant to paragraph 1 shall **be made available to it in the official Union language or languages of the Member State where the inspection took place**". Art. 119, par. 3 "The Agency shall translate **safety promotion material into the official languages** of the Union, where appropriate". Art. 119, par. 5. "Any **natural or legal person shall be entitled to address the Agency in writing in any of the official languages of the Union** and shall have the right to receive an answer in the same language".
European Union Intellectual Property Office	Regulation (EU) 2017/2001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark	Art. 146, par. 1. "The **application** for an EU trade mark shall be filed **in one of the official languages of the Union**." Art. 146, par. 2: "The **languages of the Office shall be English, French, German, Italian and Spanish**" Art. 146, par. 3. "**The applicant shall indicate a second language** which shall be a language of the Office the use of which he accepts as a possible language of proceedings for opposition, revocation or invalidity proceedings. If the application was filed in a language which is not one of the languages of the Office, the Office shall arrange to have the application, […], translated into the language indicated by the applicant". Art. 146, par. 4. Where the **applicant** for an EU trade mark **is the sole party** to proceedings before the Office, the **language of proceedings shall be the language used for filing the application for an EU trade mark**. If the application was made in a language other than the languages of the Office, the Office may send written communications to the applicant in the second language indicated by the applicant in his application".
	Information about languages on the agency's website https://euipo.europa.eu/ohimportal/en/euipo-language-policy	"The **five working languages of the Office are English, French, German, Italian and Spanish**. Trade mark and design applications may be filed in 23 official languages of the European Union. The EUTM and RCD Registers are published in 23 EU official languages as well. The EUIPO website content is at least published in the five Office languages and often in 18 other official ones as well. At the EUIPO we are firmly committed to ensuring that everybody in the EU should have access to information on intellectual property rights in a language that they understand, even if that language is not their mother tongue.

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		Wherever possible, we will communicate with you in your official national language. However, for any language issues concerning specific trade mark or design procedures, the respective regulations and the Office's Guidelines apply. For further information on what languages may be used in proceedings before the Office, please refer to the relevant regulations, in particular, Articles 146 and 147 EUTMR, Articles 24, 25 and 26 EUTMIR, Articles 98 and 99 CDR and Articles 29, 80, 81 and 83 CDIR. Find the language you want on the website All our web pages have a drop-down menu at the top left-hand corner where you can select what language you would like to view the page in. In addition, if you are looking for case law to support a case before a court, our eSearch Case Law database provides machine translations to help you gain an immediate general understanding of the content of a particular judgment before investing in certified translations. EUIPO terminology The EUIPO provides official IP-related terminology in all EU languages. This is to contribute to legal certainty within the IP world. The terms can be accessed by anyone via the EU's interinstitutional terminology database (IATE). Translations Translations necessary for the functioning of the Office are translated by the Translation Centre for the bodies of the EU. In addition, the EUIPO endeavours to use state-of-the art machine translation technology to provide its users with additional information in their own languages, even beyond the EU official languages.
Single Resolution Board	Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010	Art. 81 par. 1.: "Council **Regulation No 1** shall apply to the Board" Art. 81, par. 2: "The **Board shall decide on the internal language** arrangements for the Board" Art. 81, par. 3: "The Board may decide which of the official languages to use when sending documents to Union institutions or bodies". Art. 81, par. 4: "The Board may agree with each national resolution authority on the language or languages in which the documents to be sent to or by the national resolution authorities shall be drafted".

	Decision of the Single Resolution Board of 17 December 2018 establishing the framework for the practical arrangements for the cooperation within the Single Resolution Mechanism between the Single Resolution Board and National Resolution Authorities (SRB/PS/2018/15),	Art. 4, par. 1: "The **operational working language used in the internal communication between the SRB and the NRAs within the SRM is English**, in its spoken and written form" Art. 4, par. 3: "**Draft decisions and resolution plans prepared by NRAs for entities and groups under direct NRA responsibility that are drafted in another language than English** in accordance with the requirements of national law shall be accompanied by a provisional **English executive summary** for informative use only, when they are sent to the […]" Art. 4, par. 6: "**Legal acts** of the SRB addressed to the NRAs for their implementation under national law shall be **adopted in English**, which will constitute **the legally binding version of such a legal act** of the SRB. The SRB will endeavour to provide a **courtesy translation** of its legal act into the national language chosen by that entity in accordance with **Council Regulation No 1** simultaneously with the notification of that act to the NRA. This procedure does not apply to the adoption of resolution decisions by the SRB. In this case, following the adoption of the resolution decisions, the SRB will, upon the request of the NRA, provide the NRA with a **courtesy translation** of its resolution decision into the national language of the implementing act".
Translation Centre for the Bodies of the European Union	Council Regulation (EC) No 2965/94 of 28 November 1994 setting up a Translation Centre for bodies of the European Union	Statement 2 Joint statement by the Council and the Commission: "On the occasion of the setting up of the Translation Centre, the Council and the Commission confirm that **the Centre should be organized in such a way as to enable the official languages of the European Communities to be treated on an equal footing**, without prejudice to any specific provisions on the language usage of the various bodies on behalf of which the Centre operates."
European Defence Agency	Council Decision (CFSP) 2015/1835 of 12 October 2015 defining the statute, seat and operational rules of the European Defence Agency	Art. 33: "The language regime of the Agency shall be established **by the Council**, acting by unanimity"

	Information provided on the website ([Language Policy (europa.eu)](europa.eu))	**"Language policy**

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<td>Information provided on the website (<u>Language Policy (europa.eu)</u>)</td>
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"Language policy

The European Defence Agency (EDA) **is committed to multilingualism** and recognises the importance of communicating with EU citizens across the EU and of facilitating access to information in their respective languages.

Our commitment to linguistic diversity

The **EU has 24 official languages**: […].

EDA aims to strike the balance between **respecting European linguistic diversity and practical considerations** such as target audience, time constraints as well as human and financial resource implications.

In this light,

- EDA strives to adopt a pragmatic and cost-effective approach when implementing its language policy.
- EDA supports the pooling of translation resources where possible, to reduce costs and ensure that EU citizens have more information available in a variety of official EU languages.
- EDA is committed to making maximum use of all available translation tools and services at its disposal.

Use of languages in EDA

In practice, EDA's internal working language is English. **The main language used on EDA's public website is accordingly also English** which allows for continuously creating, monitoring and updating content and optimising resources.

[…]

Public inquiries, requests for access to documents and access to personal data

Requests for information, access to documents and access to personal data can be made in any EU official language. EDA ensures that, as far as possible, citizens writing in one of the EU official languages receive a reply in the same language, in accordance with EDA's Code of Good Administrative Behaviour.

To facilitate a swift handling of requests and to avoid delayed responses due to translation needs, EDA may make use of standard responses to requests for information, access to documents and access to personal data, and relies on native speakers within EDA to adjust these where necessary."

Public procurement and recruitment

In the frame of its procurement procedures, EDA uses the language of the contracts, **mostly English**. Economic operators and candidates to EDA procurement procedures may request additional information linked to the procurement documents in any of the EU official languages.

EDA staff is multicultural and covers a wide range of EU languages. However, due to the limited resources available and to ensure a swift handling of any queries, **candidates to EDA**

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		recruitment procedures are invited to contact the Agency in English. As **English is in practice EDA's internal working language**, a very good command of English is furthermore a requirement for recruitment at the Agency. EDA press releases & press events Due to the need to communicate to the press quickly on topical issues, **EDA press releases are generally published in English**. Where pertinent, EDA may translate press releases into other languages as well. In the context of EDA participating in press briefings at the Council, translation into/from French may be offered, as per Council practice. […]
European Union Institute for Security Studies	Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification	No provision about language arrangement
European Union Satellite Centre	Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres	No provision about language arrangement
Euratom Supply Agency	Council Decision of 12 February 2008 establishing Statutes for the Euratom Supply Agency	No provision about language arrangement
Fusion for Energy Joint Undertaking	Council Decision of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it	No provision about language arrangement

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ANNEX 2: METHODOLOGY FOR ANALYSING WEBSITES

A2.1 Methodology for data collection and analysis

Figure A2.1 describes the main phases of the methodological approach for data collection and empirical analysis of websites. It begins with the deductive phase in which the website content classification and multilingual needs typologies are defined. The deductive phase draws on theory and substantive domain knowledge. The value of any deductively defined conceptual framework will always need to be tested against reality empirically. This occurs in the inductive phase where the typologies are tested and refined. This deductive-inductive interaction is mostly related to website analysis and is depicted in Figure A2.1 by the two-way arrows linking the two phases. Refinement of the typologies occurs as a result of this interaction.

Figure A2.1 Main phases of the methodology
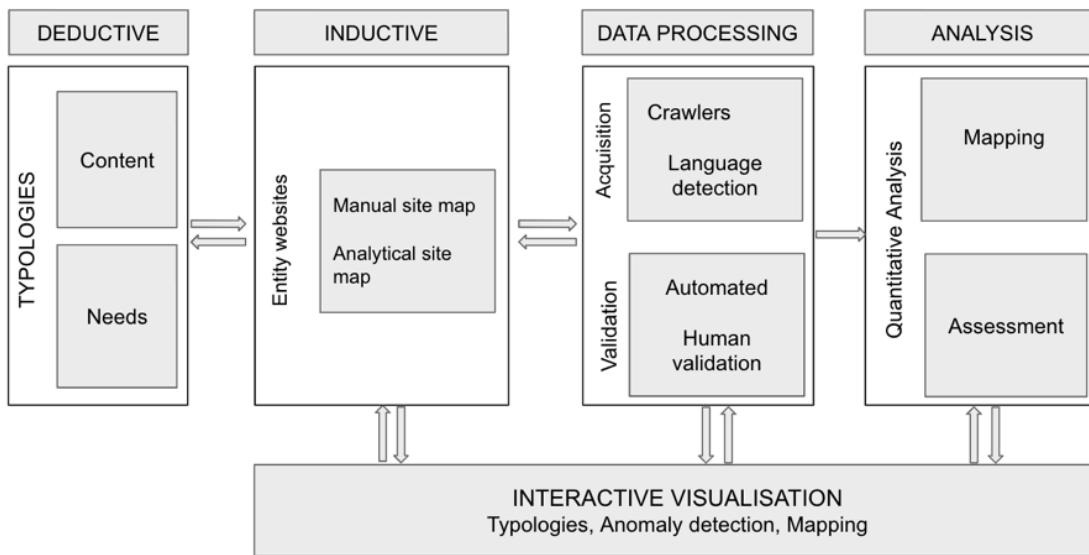
The inductive task is depicted in Figure A2.1 in the box called "Entity websites". We use the entity's site map and the web sections identified as the starting point. The majority of websites have a site map and for those that do not (e.g. the Commission) a functional equivalent exists even if it is not formally called a site map. In some cases, a site map may not include a particular web section of interest, e.g. public tenders or a press section. In such cases, we add this particular web section of interest to our site map. Although entities prioritise different web sections and use different labels, there is a reasonable degree of convergence in the types of web sections presented in a site map (e.g. most have an About, General information or Topics section etc.). These types of common web sections have been elaborated in the Content classification. We refer to this process as the manual extraction of the site map and it yields a list of web sections per entity website.

In a second stage, referred to in Figure A2.1 as the "analytical site map" in the inductive phase, we use automated techniques (e.g. web crawlers) for identifying different web sections of an entity's website. The web sections of the manually extracted site map constitute the first level in a website's organisational hierarchy. But there are many more layers. For instance, the Commission's section called "Laws", at level 1 in the hierarchy (alongside other sections such as About and Jobs) contains 51 further web sections at level 2. Level 2 web sections include content such as "the law making process" or "search

laws". These level 2 sections generate another 31 sections such as "Consumers" or "Data Protection". Taking just one (the "Laws" section) out of the dozen or so web sections from level 1 of the Commission site map yields over 300 web sections, each of which contains a multitude of documents. What we refer to as the analytical site map extraction is the use of automated techniques to extract the folders/documents associated with the site map's web sections.

With these analytical maps in place, the qualitative (manual) coding task involves assigning the categories from our content classification and multilingual needs typology to the different web sections of the sites. A website consists of many hierarchies of levels, what we term web sections. For any particular entity's website, the entry point is the various level 1 web sections that are crawled, which are usually based on its site map. However, each level 1 section contains more web sections at level 2, and so on for each level in the hierarchy. Some websites can contain more than 10 levels before a document, such as a report, can be accessed. The number of webpages within each level increase dramatically. The qualitative coding at level 1 involved more than 500 web sections. Moving to level 2, the number increases to approximately 4,000 and at level 3 well over 10,000. Thus, the qualitative coding is performed for web sections at level 1 and level 2. Going beyond that to level 3 in any systematic manner using human coders was not possible. This means that the codes should be seen as an approximation of the type of content that a web section contains.

The final content sections that emerged from all the sites analysed were:

- **About/Organisation:** Organisational information such as structure, role in EU decision-making, policy responsibilities, how to contact, website policies.
- **Policies:** Sections dedicated to EU policies or groups of policies.
- **News/Events/Speeches:** List pages containing news, event or speech items.
- **Funding tenders**: Sections dedicated to funding opportunities and calls for tenders.
- **Recruitment:** Job vacancies and opportunities; information on ongoing selection procedures; and information about careers, recruitment, traineeships.
- **Documentation:** any documentation, publications, resources, including laws, studies, evaluations, statistics, information brochures, infographics, factsheets, laws, other resources.
- **General Information:** General information that is not in the other categories, including very general information on policies (e.g. information on many policies and portal/gateway pages).
- **Citizens:** public engagement including consultations on any EU policy or issue, petitions to the European Parliament, replies to letters of citizens, citizens initiative, appeals to the European Ombudsman, public consultations on any EU policy or issue.
- **Meetings/committees:** Formal official EU meetings and committees dealing with policymaking separate to the standard event lists on websites.

The correspondence between the content classification scheme and the multilingual needs typology is illustrated in Table 5 in Chapter 6 (see also Chapter 5).
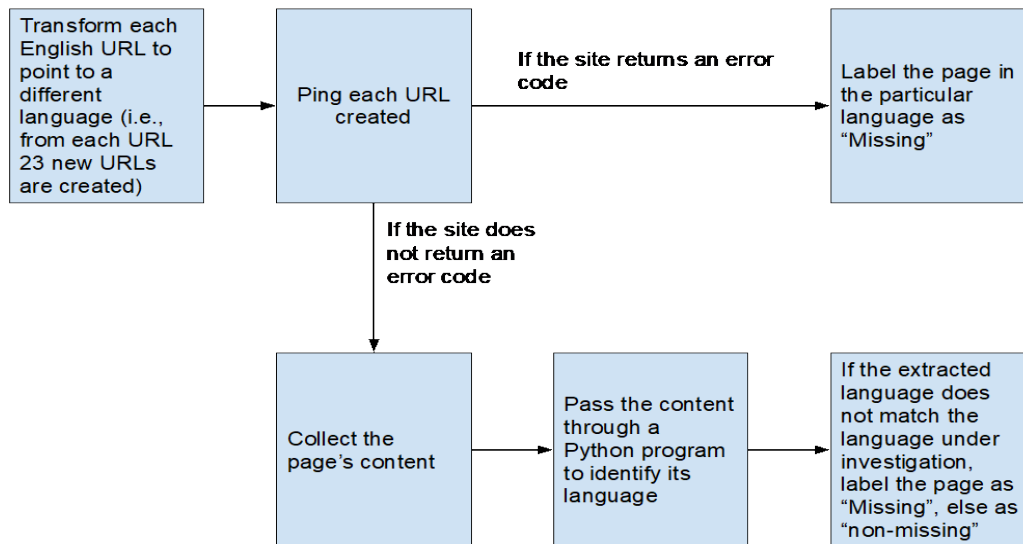
A2.1.2 Data processing phase

The process described above is highly iterative between the deductive and inductive phases of testing and refining the typology. Once satisfactory results are achieved for a particular entity website, the data acquisition process can be initiated for which customised web crawlers were developed. The crawling aspects of the data processing phase of the project are illustrated in Figure A2.2 and Figure A2.3.

Figure A2.2: First Crawling Step: Crawling Pages in default language (English)

| Manually extract site map | → | List URLs of each section | → | Crawl all the English pages of each section | → | Collect the URL of all pages fulfilling the criteria |
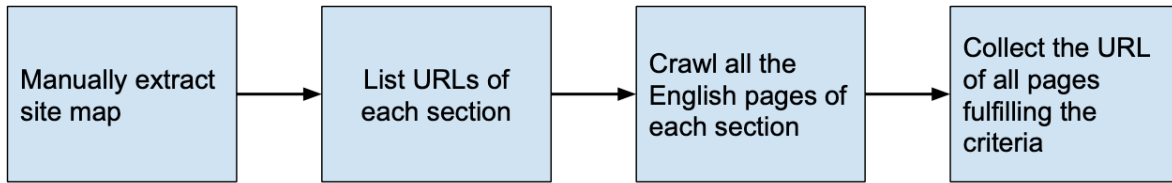
Figure A2.3: Second Crawling Step: Crawl all non-English pages

| Transform each English URL to point to a different language (i.e., from each URL 23 new URLs are created) | → | Ping each URL created |

If the site returns an error code → Label the page in the particular language as "Missing"

If the site does not return an error code ↓

| Collect the page's content | → | Pass the content through a Python program to identify its language | → | If the extracted language does not match the language under investigation, label the page as "Missing", else as "non-missing" |

There are two main steps to the website crawling.

Step 1. In the first step of web crawling, we use a default language (English) for the collection of the Uniform Resource Locators (URLs). The web crawlers visit each section of an entity's website (as defined by site maps or manually extracted site maps) and proceed to collect the URLs of all the links identified. Boundaries have to be set in order to prevent web crawlers from crawling the web in an infinite loop. The crawlers were confined to collecting links from the same domain and exclude "external" websites or domains. Thus a link from the EP website pointing to an external domain (e.g. the EP NewsHub -

https://www.epnewshub.eu/ - in the European Parliament website) would not be collected since it does not belong to the EP domain, i.e. the europarl.europa.eu. domain.

For each website section, the following filtering criteria to the collection of URLs is applied:

- The URL should be part of the section under consideration. For example, if the crawler crawls the "News" section of the European Parliament website, which has the following stem [https://www.europarl.europa.eu/news/] only URLs having this stem are collected. This is the only way to ensure consistency of the content collected for each section, which is crucial for the assignment of the content classification and needs typology.
- The URL should not contain any GET parameters (i.e. information usually used for passing additional information to a website, for example for search criteria). Typically, this is associated with the searching of databases. This was introduced because we experienced cases where different URLs containing GET parameters were pointing to the same Article, which generated endless loops. This condition, however, can be relaxed when the section has pagination (e.g. https://ec.europa.eu/info/events_en). This allows the crawler to change pages and crawl the next set of pages appearing in a page sequence.
- If a URL points to images or videos those are also skipped (such types of content could not be analysed with the language detection tools which operate on text data).

Among the advantages of this approach, are the following:

- smaller crawling jobs that reduce the burden on the servers of the entity;
- in case of a crawler failure, only the specific sections need to be re-crawled rather than the entire website;
- instead of indiscriminate web crawling, the crawlers are fine-tuned to the needs of each web section's crawler;
- if a page in any one of the other 23 languages is missing, we know that this occurred because that page is not available.

Step 2. Having created the English corpus, i.e. a list of URLs per section per website, we move to step 2 of the crawling. In this step, for each URL collected, we replace the language indicator in the URL with a different language code, one for each of the other 23 languages.

The next step is to collect the content of the page using a crawler. First, the crawler checks if the URL exists. If the URL does not exist it records that as missing. If the URL exists, it collects all of its content. Following this, the content to be analysed for language detection is selected. This requires isolating specific sections of the webpage, given that there are sections in a webpage, e.g. the navigation menu, that are always translated but they do not actually contain any useful information as far as this project is concerned. If for any reason the section cannot be extracted (for example it can be missing), it is flagged.

If the process successfully extracts the content, then the content is sent to an in-house Natural Language Processing tool developed for this project that utilises the 'CLD2' (Compact Language Detection) library tool for identifying languages. More precisely, CLD2 has a feature that returns a vector with the different languages identified along with the slice on the content containing the language. In our case, we counted the characters of the language under investigation, and we divided that by the total number of characters the document contains. This returns a value between 0 and 1 which represents the proportion of text in the language under investigation. The last step is to use a cut-off threshold to assign a binary class (1 vs 0) to the webpage, where 1 means the webpage was available in the target language and 0 means the webpage was not available in the target language.

During various validation exercises the team manually coded a random selection of 1800 webpages from the EU institutions. This allowed the team to evaluate the performance of using various cut-off thresholds. Using the 0.5 threshold achieved a 96% percent accuracy. Using higher cut-off points (e.g. 0.6 or 0.7) led to diminished performance. In short, the validation exercise suggests that at the aggregate level the probability that a webpage is correctly classified as being available in the target language is between about 95 and 97 percent.

A2.2 Selection criteria for websites or web sections

There are various criteria that affect the inclusion/exclusion of websites and web sections. These can be grouped into three main types.

<u>Website selection</u>

- If a website is "effectively" monolingual, then analysis of its multilingual attributes is completely redundant. Some websites, especially among the decentralised EU agencies, are effectively monolingual. They may have Language selector pages, but these do not work or redirect to a single page that has been translated in the target language.
- A website cannot be language cross-checked if the text denoting the webpage section or title is transformed when changing from the default language to the target language (e.g. if the web section in the English default language "news/en" is transformed in the Spanish target language as follows "noticias/es" or "es/noticias"). This criterion only affected two websites.

Crawling issues

- The website blocks the crawling of its content by technical means. This was surprisingly uncommon.
- Sections of websites that are databases could not be crawled.

Cross-checking language availability

- Cross-checking of all URLs crawled is performed for all 23 languages. Some types of URLs could not be checked:
  - URLs that Include a '?'. The latter is a parameter that indicates dynamic content, usually extracted from a database.
  - URLs that end with an extension, e.g. '.docx', and '.png'. This is necessary since we cannot automatically process the content of any arbitrary web resource.
  - Boundary conditions are necessary to make sure cross-checking language availability is performed for content belonging to the website being analysed. Therefore if a URLs point to a domain outside the domain under consideration, e.g. if cross-checking is performed on http://domainA.com and the url points to a different, e.g. http://domainB.com, then such external URLs are excluded.
  - URLs that systematically generate error messages (high "missing" data). This occurred with only one website that had to be excluded.

A2.3 Multilingualism Index

This Annex presents formulae for computing the multi-lingo metric as applied to the analysis of EU websites (Box A2.3). It also includes some caveats for understanding how it was applied to the websites that were analysed.

Box A2.3: A metric of multilingualism

Assuming that documents (web pages) are produced by default in one language only (i.e. English) and that the documents (web pages) are then translated into the other official languages (L).

D is the total amount of documents produced in the default language, while D_l is the number of documents translated into language l. Hence, $d_l = \frac{D_l}{D}$ is the proportion of documents translated into language l. An index of average multilingualism (MI) can be computed as follows:

$$MI = \frac{1}{L}\sum_{l=1}^{L} d_l$$

A grouped average of multilingualism (GMI) is also calculated for a group with |G| members.

$$GMI = \frac{1}{G}\sum_{i=1}^{G} MI_i$$

A group in the above formula can be the webpages belonging to an Entity (i.e. EU institutions, bodies or agencies), the Content classification or the Needs typology. As shown in the empirical analysis, the grouped average (GMI) is a more balanced estimator because it gives equal weight to the groups (whether type of entity, type of Content or Needs type).

In order to distinguish between the two metrics in the main text of the report, the first metric is referred to as the ungrouped metric or ungrouped average, while the second metric is referred to as the grouped metric or grouped average.

The empirical task involved checking whether the default (English language) webpages that were collected across the EU websites analysed were available in the target languages (i.e. the 23 other official EU languages). This was ultimately a binary classification task in which each default webpage (URL) had a binary outcome: "1" means the content was available in the target language vs. "0", which means the content was not available in the target language. Based on the binary classification the metrics defined in Box A2.3 could be applied.

Caveats

There are some **important caveats to the interpretation of the results**. First, there are URLs that do not load properly for some reason, e.g. the web crawler broke down or problems were encountered on the server. These "missing" URLs are very rare, approximately one percent of the volume, and are unlikely to substantively affect any overall findings.

Second, some URLs are relatively easy to classify in terms of language availability, while others are more difficult. For instance, there are many URLs that do load in the target language but whose content is in English. Other URLs both load correctly, i.e. without errors, and are in the correct target language. Both

these types can be considered "easy" for the language detection tool to classify as "0" (not available) or as "1" (available) in the target languages.

However, there are also webpages that are potentially more difficult to classify in cases where, for instance, a lot of the web page content is in the requested language except for some content that should be in the target language but is not. In such cases, the language detection tool would return a value between 0 and 1 representing the proportion of content in the target language. Fortunately, an overwhelming proportion of the data, approximately 90 percent, is returned as a binary "0" or "1" value. As can be seen in panel one of Figure A2.3 the scores are essentially "0" or "1" in the histogram. Scores between these two values are hardly detectable in the histogram. However, about 10 percent of the data has some element of multiple languages (i.e. both elements of English and the target language was detected).

Figure A2.3: Histogram in panel 1 shows the distribution of language detection scores. Histogram in panel 2 zooms into the scores between 0 and 1 that are not visible in panel 1
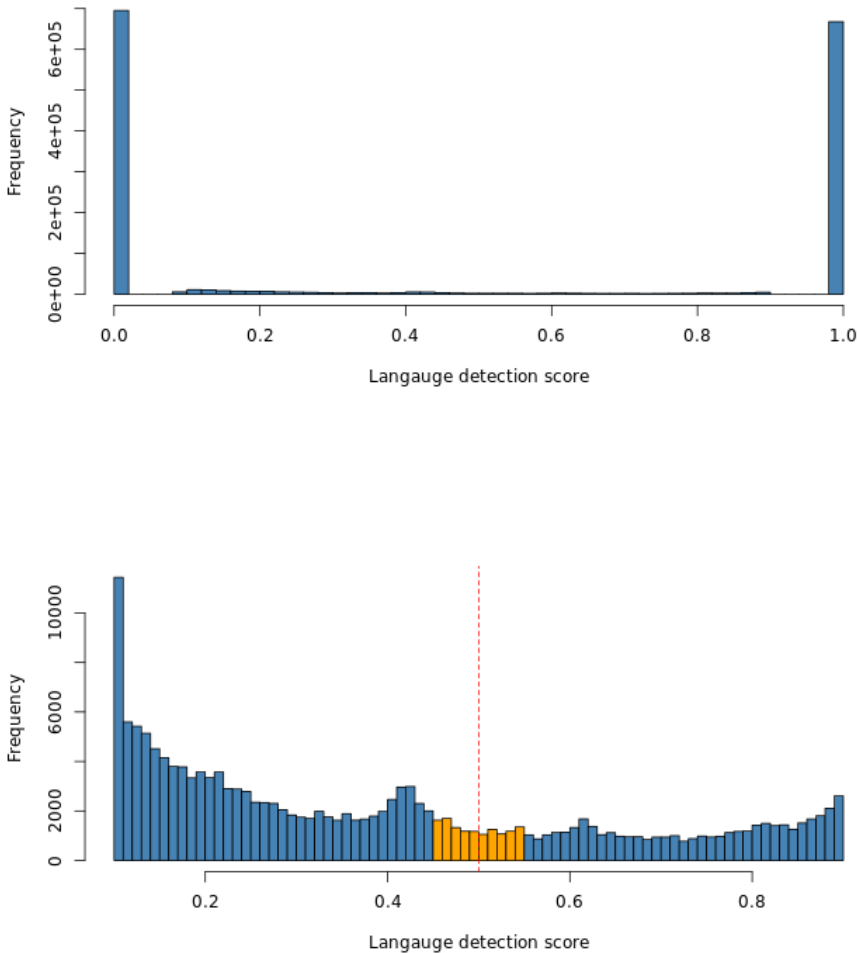
In panel two of Figure A2.3 the histogram zooms into those values that lie between 0 and 1. Most of the values are close to the zero point. The graph also includes a dashed line to indicate the 0.5 threshold, which serves as the cut-off point for the binary classification of URLs as 0 or 1. An area with a 10 percent margin around the binary threshold point is coloured in orange to indicate values with the greatest uncertainty. URLs in this uncertain zone represent a very small proportion of the data, approximately half a percentage point. Binary misclassification is unlikely to have a substantial effect on any of the estimate, even if the uncertainty band is increased significantly.

A2.4   EU agency websites checked (July 2021)

Agency	Multilingual	Notes
Agency for Support for BEREC	No	This website does not have a language selector. All content is in English.
Authority for European Political Parties and European Political Foundations	No	This website is only in English.
Community Plant Variety Office	No	This website does not have a language selector. All content is in English.
European Banking Authority	No	This website has a language selector, but when you change language it redirects you to the ONE page that has been translated in the selected language. So for each language other than English, a single translated page exists.
European Border and Coast Guard Agency	Partly	This website appears to have a default English website (with complete content) and separate (smaller) sites for each of the languages. These separate language websites have a different URL. There is no way to cross-check URLs.
European Centre for Disease Prevention and Control	No	This website does not have a language selector. All content is in English.
European Centre for the Development of Vocational Training	Partly	This website has language selectors, but all content is in English. The website was completely renewed after checking in July 2021, but is still effectively monolingual despite having language selectors.
European Cybersecurity Industrial, Technology and Research Competence Centre	No	New website for European Cybersecurity Competence has a language selector but it does not work.
European Environment Agency	Partly	This website cannot be cross-checked. The URL contains the title of the document in the corresponding language.
European Fisheries Control Agency	No	Only 'About' section is translated when you change language. Also, only 4 languages available.
European Foundation for the Improvement of Living and Working Conditions	Partly	The website has a language selector, which worked for some top-level sections, but when cross-checked is effectively monolingual and was not included in the analysis.
European Institute for Gender Equality	No	This website has a language selector, but when you change language it redirects you to the ONE page that has been translated in the selected language. So for each language other than English, a single translated page exists
European Insurance and Occupational Pensions Authority	No	This website does not have a language selector. All content is in English.
European Labour Authority	No	This website has a language selector, but all content is in English.
European Maritime Safety Agency	No	This website does not have a language selector. All content is in English.

European Medicines Agency	No	This website does not have a language selector. All content is in English
European Monitoring Centre for Drugs and Drug Addiction	No	This website does not have a language selector. All content is in English.
European Public Prosecutor's Office	No	The language selector is only available for one section ('report a crime')
European Securities and Markets Authority	No	This website does not have a language selector. All content is in English
European Training Foundation	No	This website has language selectors, but all content is in English.
European Union Agency for Asylum	No	This website does not have a language selector. All content is in English.
European Union Agency for Criminal Justice Cooperation	No	This website does not have a language selector. All content is in English.
European Union Agency for Cybersecurity	No	This website has a language selector, but when you change language it redirects you to the ONE page that has been translated in the selected language. So for each language other than English, a single translated page exists.
European Union Agency for Law Enforcement Cooperation	No	This website has a language selector, but when you change language it redirects you to the ONE page that has been translated in the selected language. So for each language other than English, a single translated page exists
European Union Agency for Law Enforcement Training	No	This website has a language selector, but when you change language it redirects you to the ONE page that has been translated in the selected language. So for each language other than English, a single translated page exists.
European Union Agency for Railways	No	This website does not have a language selector. All content is in English.
European Union Agency for the Cooperation of Energy Regulators	No	This website does not have a language selector. All content is in English.
European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice	No	This website does not have a language selector. All content is in English.
European Union Agency for the Space Programme	No	This website does not have a language selector. All content is in English.
European Union Aviation Safety Agency	No	This website does not have a language selector. All content is in English.
European Union Intellectual Property Office	Partly	The website cannot be crawled, the; crawler was technically prevented.
Single Resolution Board	No	This website does not have a language selector. All content is in English.

Translation Centre for the Bodies of the European Union	Partly	Unlike all other websites crawled, the CdT returns a very high missing data count. Most URL cross-checks are returned as errors.
European Defence Agency	No	This website does not have a language selector. All content is in English
European Union Institute for Security Studies	No	This website does not have a language selector. All content is in English.
European Union Satellite Centre	No	This website does not have a language selector. All content is in English.
European Climate, Infrastructure and Environment Executive Agency	Partly	The language selector does not work for all languages. Commission '.ec' managed website (not managed directly by agency).
European Education and Culture Executive Agency	Partly	This website has a language selector, but content is only available in English, French and German. All other languages are unavailable.
European Health and Digital Executive Agency	Partly	The language selector does not work for all languages. Commission '.ec' managed website (not managed directly by agency).
European Innovation Council and SMEs Executive Agency	Partly	The language selector does not work for all languages. Commission '.ec' managed website (not managed directly by agency).
European Research Council Executive Agency	Partly	The language selector does not work for all languages. Commission '.ec' managed website (not managed directly by agency).
European Research Executive Agency	Partly	The language selector does not work for all languages. Commission '.ec' managed website (not managed directly by agency).

ANNEX 3: INTERVIEW ANALYSIS

A3.1 Introduction

This annex presents the results of the interviews conducted with 12 policy experts on translation/interpreting across 10 EU institutions, bodies and an agency. The main topics discussed concerned decision-making/implementation, recent trends, the role of digital technologies, and transparency and accountability.

Table A3.1: List of interviews

Institution, body, agency	Interviewee ID	Date
European Parliament	2	18.11.2021
European Parliament	4	23.11.2021
European Commission	3	22.11.2021
European Commission	7	29.11.2021
Court of Justice of the European Union	10	9.12.2021
European Central Bank	8	30.11.2021
European Central Bank	9	30.11.2021
European Court of Auditors	1	15.11.2021
European Economic and Social Committee / European Committee of the Regions	5	24.11.2021
European Economic and Social Committee / European Committee of the Regions	6	24.11.2021
European Education and Culture Executive Agency	11	21.01.2022
European Education and Culture Executive Agency	12	21.01.2022

Note: The General Secretariat of the Council was contacted for an interview but decided not to contribute to the study

A3.2 Decision-making about translation and interpreting

Rules governing the language regime

The rules governing the language regime indicated by interviewees include:

- Regulation No.1 (on Multilingualism), stating that 'all published documents have to be translated into all official EU languages' (all interviewees);
- Code of Conduct (on Multilingualism), including implementing rules for interpretation and translation, regularly updated list of tasks, priorities etc.; practical rules (e.g. precise deadlines, competences), entitlement for translation and interpreting to the Members and different bodies of the Parliament; priorities in case of resource constraints (Interviewees 2, 4, 5, 6);
- Rules of procedure (Interviewees 4, 5, 6, 10);
- Treaties (Interviewees 1, 10, 11, 12); and
- Protocol on the Statute of the Court (Interviewee 10).

Interviewees also noted rules relating to obligations to produce and publish certain documents (e.g. reports) in all EU languages; situations when publications can be translated to selected languages only; and arrangements for processing translation requests.

<u>Difficulties in complying with multilingual rules</u>

Resource constraints were the main reported difficulty faced regarding compliance with multilingualism rules, including funding, time, human resources and space (e.g. meeting rooms, cabins). Fulfilling multilingualism obligations is also challenging due to the complex nature of translation and interpreting, and almost constant heavy workload (Interviewees 1, 4, 5, 6, 7, 8, 9, 10, 11, 12). Some interviewees noted that the pandemic has, somewhat paradoxically, reduced the difficulties related to available working space: online working affected the potential capacity, which in this case has increased (Interviewee 2). There are also difficulties related to particular tasks – such as implementing new languages, or sufficient qualified staff.

<u>Key tensions trade-offs in managing multilingualism</u>

The main sources of tension are related to time, workload constrains (Interviewees 1, 2, 4, 10) and available resources versus obligations in general (Interviewees 7, 8, 9, 10). These translate into trade-offs such as:

- Adjustment of the quality level to reality – skipping in-depth revision due to pressure on doing more in less time (Interviewees 1, 4, 5, 6);
- Constant delivery pressure makes the introduction of new technologies difficult (Interviewees 2, 4);
- Necessity to prioritise certain languages and postponing translations in others (Interviewees 1, 8, 9, 10, 11, 12);
- Translations available only upon request (Interviewees 11, 12);
- Missing deadlines (Interviewees 5, 6), but obligations (mandatory translations) are respected (interviewee 7);
- Limitations in providing direct translations (Interviewee 10);
- Less funds available for administration (Interviewees 11, 12).

Some institutions have introduced their own (internal) solutions in order to adapt to the quality requirements. While being mainly demand-driven, it is the institution's clients who decide what is important for them (which documents they want to have translated into all official EU languages); and rationalisation demands can allow the identification of documents that are less/more relevant (Interviewees 5, 6). The language style is sometimes a source of tensions, such as the increasing tendency to use clear language, which can be challenging when translating legal texts using technical, strict and precise terminology (Interviewee 4).

<u>External communication constraints</u>

Overall, EU institutions comply with multilingualism as defined in Regulation No.1, Treaties etc. However, implementation of full multilingualism in communication with external actors is occasionally limited due to human resources and time constraints (Interviewees 1, 4, 5, 6, 8, 9), and infrastructure (Interviewees 2, 5, 6), or the audience itself (Interviewee 5, 6). The constraints may result in incomplete translation of the website with only few first levels – the most static ones – translated into all official EU languages, and the deeper, more dynamic levels translated into fewer languages or through automatic translation, which is recommended by the EU for the situations when the institution is not able to cover all the translation (Interviewees 5, 6, 7, 11, 12). Additional technical constraints occurred due to the pandemic and online working, which was challenging especially when organising multilingual online events (Interviewees 11, 12).

Despite the multilingual obligations, and accountability and transparency principles, in some institutions the external audience is so specific that the communication is practically limited to English.

This is the case of for more technical organisations dealing with financial markets, experts and the public with high competences in economics. Extending the reach to non-specialist audiences requires additional resources (Interviewees 8, 9).

Internal communication constraints

Internal communication in EU institutions hardly ever involves all EU languages. It is dominated by English, French and sometimes German, but with English dominating (Interviewees 1, 2, 3, 4, 5, 6, 10). Internal communication is mostly restricted to English and French (Interviewees 11, 12), or one of the two, with French being the main working language at the Court of Justice (Interviewee 10). Language services are provided almost only for external parties. Some respondents note that full multilingualism has never been an objective internally (Interviewees 5, 6) and therefore the issue of constraints does not arise (Interviewees 8, 9).

Translation and interpreting needs, priorities and target audiences

Assessment of translation/interpreting needs and priorities depends, in general, on institutional obligations and is demand-driven (Interviewees 1, 2, 3, 4, 10), based on target audiences (Interviewees 7, 8, 9, 11, 12) and following a fixed hierarchy (Interviewees 5, 6). Setting deadlines plays an important role in organising the work (Interviewees 1, 2, 10), and time management for months ahead is a common practice (Interviewees 2, 4). The assessment and prioritisation processes can be supported with statistical assessments and IT tools for scheduling (Interviewee 2). Some institutions have their own separate unit for planning (Interviewee 4) or internal strategy documents (Interviewee 7, 8, 9), policies (Interviewees 11, 12) etc. Sometimes, the assessment process is reflected in the recruitment – permanent staff for permanent/recurring tasks, with freelancers covering peaks of demand (Interviewee 2).

Main features and gaps in the language regimes in practice

Apart from procedures related to resources management, interviewees noted the importance of internal language regimes practices, which allow them to fulfil their obligations. For those institutions which are obliged to publish everything in all EU languages (Interviewees 1, 2, 5, 10), it is important to feature small and large languages equally (Interviewee 2). Nevertheless, drafts are circulated in English, French and/or German only (Interviewees 1, 2, 10); English is always used (Interviewee 2). Some institutions, form a practical point of view, do not translate all the documents into all EU languages immediately (Interviewees 5, 6). One of the reasons for the convergence towards monolingualism in document preparation is the fact that documents are often not prepared by a single person or office. They pass through several steps and offices, and not everything can be translated at every step. (Interviewees 7).

Technology is an important feature of language regimes (IT tools, dedicated software), (Interviewee 1, 4). Some of the interviewees (Interviewees 8, 9) emphasised that the language regimes are audience oriented and try to be as inclusive as possible in external communication (e.g. reaching more to women or youth).

The interviewees found it difficult to define any gaps, and in most cases, claimed that their organisation is fulfilling its obligations (Interviewees 1, 4, 5, 6, 8, 9, 10, 11, 12), despite their being room for improvement in terms of better resource management, optimised communication strategies, timely 'real needs' assessment and effective targeting of audiences.

Very few respondents were able to identify systemic gaps in their organisations. One gap is related to so-called 'deficit languages' – there is a limited pool of interpreters in certain languages like Danish, Finish, Polish, Portuguese and English. Difficulties in finding those interpreters are experienced regularly

(Interviewee 2). Another issue concerns English only content on the websites, albeit justified on the basis that this language is the most commonly taught language at schools. While this is not always sufficient, machine translation is used (Interviewee 7). The last and recurring issue raised is the challenge of constant time pressure (Interviewees 11, 12).

Online communication

With respect to website translation, in most cases the goal is to translate the websites' (especially the main interface) content into all EU official languages (Interviewees 1, 2, 3, 4, 7, 8, 9, 10). However, there is still prioritisation depending on needs and available resources. Thus, it is sometimes automated (Interviewees 1, 5, 6, 8, 9) and not all documents are translated documents (Interviewee 10). For example, decisions on content translation can depend on maintenance demands (updating requirements); in case of frequently changing web content there has to be a strong demand for translation and resources for translation (Interviewees 8, 9). In some cases the content might be also translated to other non- EU languages, e.g. Russian or Chinese. (Interviewee 3) Yet, there are also some institutions which maintain website content in English by default, and translations to other languages are used for specific sections only. (Interviewees 11, 12). Intranet and units' administration content is mainly available in English, French and German; sometimes also in other languages (Interviewee 2).

Turning to Twitter translation, there are two trends visible for the language use on Twitter. One is to tweet in English, with exceptions from time to time (Interviewees 1, 4, 5, 6, 8, 9), or bilingually – in English and French (Interviewee 10). The second is to use multilingual tweets, but not translated into all languages by default (Interviewees 2, 7). The argument for the first approach are that English is the main language of Twitter users, and that translated tweets get less feedback (Interviewees 1, 5, 6, 8, 9). The second approach is justified by the fact that tweets are posted in different languages anyway, and that they often refer to different language communities and groups of interests, depending on the context (localised) (Interviewees 2, 7).

A3.3 Main trends over the last 5 years

The past five years have brought a change regarding both internal and external use of languages in EU institutions - a change that was a result of longer processes, which started in 2004 and have noticeably transformed the EU language scene (Interviewees 1, 2, 11, 12).

Internal communication

A difference observed in most institutions internally is a significant shift towards English, and (despite some regulations requiring internal documents to be translated also into French) its reinforcement as the lingua franca (Interviewees 1, 2, 3, 4, 5, 6, 10).

External communication

While the role and use of English is increasing in external communication (Interviewees 3, 5, 6, 10), the amount of information available in other official EU languages is also successfully growing (Interviewees 2, 8, 9).

Another trend is increased outreach in more languages (more often using clear language) in online communication through websites and social media (Interviewees 2, 7, 8, 9). This could be partially a result of increased use (and acceptance) of machine translation (Interviewees 5, 6). Perhaps the most 'visible' change was the inclusion of Irish and Maltese into the list of official EU languages, which obviously had certain consequences in procedures and organisation (Interviewees 1, 10). Some interviewees highlighted the importance of promoting multilingualism (Interviewees 10, 11, 12) and

the growing understanding that effective multilingualism is necessary to bridge the gap between EU institutions and citizens using clear language and messages (Interviewee 4).

Main expected changes for the near future

The most significant changes already happened after the enlargement in 2004 (Interviewee 2), and in the future multilingualism should be simply upheld (Interviewee 10). In general, there are no (Interviewees 11, 12) or few changes expected (Interviewees 2, 4, 7). Nevertheless, there is a tendency to use English as the first language internally (Interviewees 1, 3, 5, 6, 10), while there is a pressure to use more French (Interviewee 4). It was noted that Irish is expected to increase in use with the end of the derogation applicable to the Irish language (Interviewee 10). There are also some expectations of an increased role for machine translation (Interviewees 7, 8, 9).

Externally, AI may gradually become of more and more assistance to human interpreting (Interviewee 2), while machine support will probably become commonly used in the translation (Interviewees 5, 6, 8, 9). However, the pandemic has exposed some shortcomings in the online tools used, like for example lack of an 'interpretation' button or option in some software (Interviewee 3).

Some institutions are expecting rather a continuation of ongoing trends – reaching out to a broader audience (citizens) though website, further exploration of social media use, more involvement of the national media, increased use of the 'clear language', more visual communication, shortening the documents, layering the texts, continued and increased role of the 'listening' – than any significant changes. (Interviewees 8, 9). More changes, however, would be expected in the event of future enlargements (Interviewees 1, 4).

Outsourcing translation and interpretation

On the approach to externalisation, the following recorded in the interviews

- Tendency to increase outsourcing (Interviewee 1);
- Greater reliance on internal staff (Interviewees 2, 10);
- 'very much in favour of outsourcing'; 'externalised services ca. 50%' (Interviewee 3)
- 'no, not at the moment'; 'approximately 30% of assignments is externalised, but there is no expected increase in this regard' (Interviewee 4); 35% of translations externalised, including texts that is not mandatory to translate (interviewee 7);
- 'hard to say, however the trend so far was increasing – from ca.5% up to 20%' (Interviewees 5, 6)
- 'it is expected to continue with the current modus operandi'; 'interpretation – as before – provided by external contractors'; 'translation – mainly in-house with freelance contractors helping with the peaks, or if the internal translators are unavailable' (Interviewees 8, 9).

In general, there is no visible common trend in the approach to outsourcing. It is conditioned by the type of information translated/interpreted, as for example some of them might be confidential, which exclude hiring external staff. (Interviewees 2, 10). Another factor determining outsourcing is institution's own resources (Interviewees 11, 12). However, pressure to reduce in-house staff may force increased externalisation of language facilities (Interviewees 5, 6) on a temporary basis when work-loads peak (Interviewees 2, 3).

Impact of the departure of the UK on recruitment policies for translation and interpretation

The departure of the UK has greatly reduced the pool of potential staff (EU citizens with native English), which is now limited to Irish, Maltese and Cypriots. Despite that, most of the interviewees have not observed any new difficulties, given the pre-existing challenges in finding qualified staff (Interviewees

1, 4, 5, 6, 8, 9, 10, 11, 12). However, some respondents did notice more difficulties in finding English native speakers (Interviewees 2, 10). Further, there are cases reported where a non-native was accepted for the position where native English is required (Interviewees 7, 8, 9).

Some interviewees pointed out that, having a language at mother tongue level does not necessarily mean that it 'has to be the mother tongue' (Interviewee 3) and what really matters is the actual linguistic knowledge (Interviewee 7). Partly promoted by EU policies on language skills of EU citizens, it was noted that there is an increasing pool of individuals with English language skills at a level that is good enough for drafting non-sensitive documents (Interviewees 11, 12). The impact of the UK's departure is also moderated by the rules allowing UK citizens to continue working in their posts in EU institutions for four years after BREXIT, and the availability of double citizenship allowing continued employment in the EU (Interviewees 7, 8, 9, 10, 11, 12).

Challenges for communicating in a language that is not their native tongue

Most interviewees have not observed challenges in communicating through a language that is not their native language. The main reason highlighted is the language requirements for people working at EU institutions (particularly at language services). Of course, there are sometimes issues with language skills. Nevertheless, the qualifications of people working at EU institutions are being carefully checked, and (if hired), they are offered various courses in order to improve their communication skills. Furthermore, for every publication there are qualified editors or proof-readers (Interviewees 2, 7, 8, 9, 10).

In addition, it is clear that the main language for internal communication (apart from particular languages working-groups etc.) is English, or sometimes French (Interviewee 10). Occasionally there are challenges with the use of non-native languages e.g. accuracy, phonetics. Remote working is also sometimes interrupted due to sound quality (Interviewee 3). Another problem for staff providing language services, occurring occasionally, is requirement to work for persons not using their native language (which is not so uncommon). This is mainly a problem for interpreters, who are trained to work with speakers' native languages. (Interviewee 3). Some MEPs are often used to speaking in a second language in informal contexts where they can rely also on gestures and repetitions; these non-native speakers, however, often overestimate their language skills in formal contexts. Hence, when they speak a second language in formal communication contexts, they fail to express their ideas clearly and precisely. Accuracy of ideas is the big problem for interpreters who must interpret them (Interviewee 3). However, 'the longer you work at the institution, the more you get used to multilingual environment and not using your mother tongue' (Interviewees 11, 12).

Nevertheless, as one of the interviewees (Interviewee 2) observed – 'in a multilingual and multicultural environment communication will always be a challenge'.

Trends in use of other languages besides English

The interviewees stated that there is no observable trend towards increased use of other widely spoken languages beyond English. Furthermore, some reported a growing role and demand for English – 'the trend is that there is an increasing demand for interpreters with English in retour' (Interviewee 2). In some cases, the procedures are requiring the translation into English, French and German, but the trend is rather towards increased use of English, than the other way (Interviewees 5, 6). Still, there are institutions where French, and not English is the main language (Interviewees 10, 11, 12).

A3.4 The role of digital technologies

The interviewees observed that digital tools are commonly used to facilitate multilingualism and their role is increasing. In both translation and interpreting, there is an increasing use of online tools in

internal daily work as well as in the services provided. For the office work, the tools are similar for translators and interpreters, although the translation and interpretation services require slightly different support. The most popular tools used in translation services are:

- Machine translation (Interviewees 1, 7, 4, 11, 22)
- E-translate (Interviewees 1, 7, 10, 11, 12)
- Databases, e.g. IATE, EURAMIS, SDL Trados, Eur-Lex (Interviewees 1, 5, 6, 10)
- Automatic translation widgets at the websites (Interviewees 8, 9, 11, 12)
- Studio (Interviewees 1, 8, 9)
- Translation assistance software, translation memories (Interviewee 7, 11, 12)
- Translation memories (Interviewees 1, 4)
- The augmented translation environment (Interviewees 5, 6)
- InTranslation (Interviewees 8, 9)
- Interactio (Interviewee 3)
- Computer Aided Translation (CAT) tools (Interviewee 4)
- Match level (Interviewee 4)
- Deepl Pro (Interviewee 10)

The most popular tools used in interpreting services are:

- New tools implemented in several institutions: e.g. speech-to-text technologies (Interviewees 2, 5, 6)
- Automated search in a booth (Interviewee 2)
- Automated term extraction (picking up certain words e.g. numbers) (Interviewee 2)
- SIDP (Simultaneous Interpreting Delivery Platforms): KUDO, Interprefy etc. (Interviewee 2).

The main advantages noted are:

- speed (Interviewees 1, 4, 8, 9, 10, 11, 12)
- efficiency (Interviewees 1, 4, 10, 11, 12)
- optimisation (Interviewees 4, 8, 9)
- availability (Interviewee 2)
- quality (Interviewee 4)
- consistency (Interviewee 10)
- good enough for drafting (Interviewees 11, 12).

Disadvantages or challenges include:

- reliability requires human supervision (Interviewees 1, 4, 5, 6, 10, 11, 12)
- perpetuation of errors (Interviewees 1, 5, 6, 10)
- mocking quality - meaning the text reads well, but the meaning in the translation is incorrect (Interviewees 1, 10)
- creating high expectations regarding time (Interviewee 1)
- quality of sound (Interviewees 2, 10)
- doesn't work equally good for all languages (Interviewees 4, 10)
- developing and updating proper tools is time-consuming. (Interviewees 8, 9)
- additional equipment needed (Interviewee 10).

The EU is already investing in digital technologies and further spending is expected. According to interviewees, further investment in digital tools would definitely facilitate multilingualism. It would,

however, require a focus on involving more developers and better integration of the tools (Interviewees 8, 9).

Digital tools became necessary while working in language services environment. From the translation perspective, this would mean a change in a translator job – involving a shift more into validation than translation itself (Interviewees 1, 5, 6, 11, 10); 'from intellectual to almost mechanical' (Interviewee 1). Some offices are giving seriously consideration to implementing AI in their workflow to optimise the very time-consuming process of distribution of work (Interviewee 4). In interpreting, on the other hand, digital tools are being adopted at a slower pace, as the process requires more complex solutions than translating. Implementation of digital tools supports provisional interpreting and has already made interpreting more accessible (huge shift in conference interpreting) and limitations in available space becoming less of an issue (Interviewee 2).

Some institutions are developing their own tools, based on digital technologies, to support the implementation of multilingualism. An example is the multilingual survey tool – allowing a quick setting of the survey and collecting of input in different languages. (Interviewees 8, 9).

Several respondents also noted constrains related to the lack of regulations for the use of digital tools, and that multilingualism still has some requirements that digital tools cannot provide. However, it can surely improve the situation if it comes to resources (people, time, space, funds) available. Finally, respondents highlighted the intangible features of languages, which implies that machine translation will not replace humans in the foreseeable future (Interviewees 1, 4, 5, 6, 10, 11, 12).

A3.5 Transparency and accountability

In general, the interviewees considered their organisation's language regime to be sufficiently multilingual to ensure reasonable and balanced transparency for EU citizens, although scope for marginal improvements was also noted. It was noted that the vast majority of the documents are viewed (by users) in English. Further, documents are not commonly read by the general public but rather by specific stakeholders with a direct interest (Interviewees 1, 5, 6, 8, 9) or depend on citizens general interest in EU affairs (Interviewees 1, 2, 3).

In order to enhance transparency, the interviewees stressed the need to ensure high quality translation in all EU languages (Interviewees 4, 5, 6, 8, 9) and use clear language (Interviewees 4, 8, 9).

All interviewees responded that there are no or hardly any complaints regarding the implementation of multilingualism in their institutions, as there are high standards for the services provided. The limited cases of complaints are mostly related to availability of certain language (services provided), which is directly related to the resources available in the institution (Interviewees 2, 3, 8, 9, 10). Due to the pandemic, there is a huge demand for online services, so they were sometimes less available, especially if it comes to smaller languages (Interviewee 2). More frequent than complaints are inquiries (Interviewees 8, 9) or remarks from citizens or MEPs (users) who have spotted translation errors (Interviewees 1, 2, 4, 10). The complaints tend to come from s mix of academics, lawyers, activists and citizens (Interviewee 10).

ANNEX 4: EUROPEAN RESIDENTS' LANGUAGE SKILLS

Table A4.1: Percentage of European residents aged 25-64 who are linguistically included, by type of EU communication policy, by approach to the definition of linguistic inclusion and by country

Communication policy	Monolingualism (English-only)		Bilingualism (French German)		Trilingualism (English French German)		Hexalingualism (English, French, German, Italian, Spanish, Polish)		Multilingualism (24 official languages)		Population	
	App. A	App. B	App. A	App. B	App. A	App. B	App. A	App. B	App. A	App. B	%	Mill
Country												
Austria	26	68	90	97	92	98	92	98	94	99	2.0	4.83
Belgium	17	55	48	78	56	85	57	85	96	99	2.5	5.98
Bulgaria	8	28	2	7	9	32	9	32	98	99	1.7	3.97
Croatia	14	51	4	22	17	60	18	61	100	100	1.0	2.28
Cyprus	31	80	2	8	32	80	32	80	95	99	0.2	0.46
Czechia	6	34	2	23	8	47	9	48	99	100	2.4	5.84
Denmark†	28	55	4	14	31	60	32	61	95	98	1.2	2.95
Estonia	20	51	2	7	21	54	21	54	76	89	0.3	0.72
Finland	28	82	2	5	28	83	29	83	97	99	1.2	2.83
France	9	38	95	98	95	98	96	98	96	99	13.5	32.37
Germany	15	60	92	98	93	99	94	99	95	99	18.7	44.77
Greece	17	53	4	12	18	54	18	54	95	99	2.5	5.86
Hungary	8	25	4	16	10	34	10	34	100	100	2.3	5.39
Ireland	91	97	4	15	93	98	96	99	99	100	1.1	2.56
Italy	5	35	3	15	7	41	100	100	100	100	13.6	32.61
Latvia	8	45	1	7	9	51	9	52	75	95	0.5	1.06
Lithuania	10	33	1	6	11	38	17	49	96	99	0.7	1.55
Luxembourg§	24	41	73	90	79	93	81	94	90	97	0.1	0.30
Malta	61	90	1	6	61	90	63	91	99	100	0.1	0.24
Netherlands	29	79	7	33	33	82	33	82	96	99	3.7	8.95
Poland	8	34	2	14	10	41	100	100	100	100	9.1	2.73

Portugal	12	40	5	20	15	48	17	52	100	100	2.3	5.58
Romania	4	21	1	9	4	24	5	26	100	100	4.6	11.06
Slovakia	6	28	3	18	9	41	9	43	100	100	1.3	3.07
Slovenia	20	48	5	19	23	57	25	60	95	98	0.5	1.16
Spain	9	31	4	12	12	37	96	99	98	99	10.9	26.03
Sweden	48	85	3	16	49	86	51	87	93	97	2.1	4.98
EU-27	13	45	35	45	43	65	74	86	97	99	100	239.1

Source : Eurostat, 2021, AES 2016. 27 EU Member States. Weighted results reported in percentage. Total percentages referred to the population aged 25-64. Observations: 174,688, representative of 239.1 million adult residents (the last two columns report the number of adult residents per country and the share of the country's population in the EU27). App A=Approach A, App B=Approach B, see Chapter 7 for definitions.

† The percentages for Denmark in Approach B (except for the multilingual language policy) are underestimated because in the Danish sample of the AES there are many missing values for two AES variables, that is, "First best-known language other than mother" and "Second best-known language other than mother". In order to keep the sample complete, missing values have been treated as equivalent "I do not speak any foreign language", thereby underestimating multilingual people in the country. Considering the relatively small demographic size of Denmark compared to the rest of the EU, this is not going to significantly affect our general conclusions. This methodological choice is implemented in all tables.

§ The situation of Luxembourg is particular due to its highly multilingual population. The AES contains information on the level of proficiency only for the first and second foreign/other languages known in addition to the respondent's native language. However, a large percentage of the population in Luxemburg speaks Luxembourgish as native language, and indicate French and German (both administrative languages of the country) as the first/second best-known foreign languages. If English is a respondent's third best spoken language, then AES cannot record it.

Table A4.2: Percentage of European residents aged 25-64 who are linguistically included, by type of EU communication policy, approach to the definition of linguistic inclusion and age group

Age group		25-34	35-44	45-54	55-64
Communication policy	Approach				
Monolingualism (English-only)	A	20	15	10	7
	B	60	50	40	30
Bilingualism (French German)	A	35	32	37	36
	B	46	43	47	45
Trilingualism (English French German)	A	48	42	42	40
	B	77	67	62	56
Hexalingualism (English French German Italian Spanish Polish)	A	75	73	73	72
	B	90	87	85	82
Multilingualism (24 official languages)	A	97	97	97	98
	B	99	99	99	99
% of total population aged 25-64, by age group		23.1	25.4	27.3	24.3

Source: Eurostat, 2021, AES 2016. 27 EU Member States. Weighted results reported in percentage. Total percentages referred to the population aged 25-64 that belongs to the age group. Observations: 174,688. See Chapter 7 for definitions of Approach A and Approach B.

All language policies, except for the multilingual and the bilingual ones, generate inequalities among generations as regards the percentage of adults who are linguistically included. The rates of linguistic inclusion are higher in the younger generation in the monolingual, trilingual and hexalingual communication policies. This increase is mainly due to the spread of English in the educational systems of EU countries during the last decades. The results suggest that education policies have been effective in promoting the acquisition of at least some language skills, but only a minority has achieved a proficient level. The implication is that the need for translation in EU communication is not going to change substantially in the foreseeable future. Even among the youngest cohort, linguistic exclusion resulting from the implementation of either a monolingual or a trilingual language policy regime remains substantial.

Table A4.3: Percentage of European residents aged 25-64 who are linguistically included, by type of EU communication policy, approach to the definition of linguistic inclusion and level of education successfully completed

Communication policy	Approach	Level of education successfully completed		
		Low	Medium	High
Monolingualism (English-only)	A	4	8	28
	B	16	40	74
Bilingualism (French German)	A	23	37	41
	B	30	46	55
Trilingualism (English French German)	A	26	42	57
	B	39	64	87
Hexalingualism (English French German Italian Spanish Polish)	A	69	71	81
	B	79	83	96
Multilingualism (24 official languages)	A	94	98	98
	B	98	99	100
% of total population aged 25-64, by level of education		22.2	47.6	30.0

Source: Eurostat, 2021, AES 2016. Education levels are classified in ISCED 2011 levels and aggregated according to Eurostat guidelines: Low education (ISCED-11 levels 0-2), Medium education (ISCED-11 levels 3-4), High education (ISCED-11 levels 5 or higher). Weighted results reported in percentage. Total percentages referred to the population between 25 and 64 years. Observations: 174,485. See Chapter 7 for definitions of Approach A and Approach B. ISCED = International Standard Classification of Education.

It is well-known that skills in languages other than the native one(s) are correlated with educational level. This is reflected in the results presented in this table. EU residents aged 25-64 with a high level of education, for example, are more likely to be included by a non-multilingual communication policies than residents with a low level of education.

Table A4.4: Percentage of European residents aged 25-64 who are linguistically included, by type of EU communication policy, approach to the definition of linguistic inclusion and by occupation

	Communication policy										% of pop. aged 25-64 by occupation group
	Monolingualism (English-only)		Bilingualism (French German)		Trilingualism (English French German)		Hexalingualism (English French German, Italian Spanish Polish)		Multilingualism (24 official languages)		
	App. A	App. B	App. A	App. B	App. A	App. B	App. A	App. B	App. A	App. B	%
Occupation											
1. Managers	26	67	38	51	53	81	79	94	99	100	5.0
2. Professionals	32	78	38	53	57	87	81	96	99	100	20.6
3. Technicians and associate professionals	15	61	51	60	59	82	82	94	99	100	16.8
4. Clerical support workers	13	58	39	50	47	76	80	92	99	100	9.8
5. Service and sales workers	9	41	37	45	43	66	71	85	97	99	15.1
6. Skilled agricultural, forestry and fishery workers	4	18	20	25	23	36	64	71	98	99	3.7
7. Craft and related trades workers	4	28	32	39	35	53	68	79	97	99	12.2
8. Plant and machine operators, and assemblers	4	25	29	37	32	52	63	76	96	99	7.8
9. Elementary occupations	4	20	35	45	39	55	70	81	93	99	8.3
10. Armed forces occupations	18	69	38	49	48	80	76	94	99	100	0.6

Source: Eurostat, 2021, AES 2016. Economic activities are coded according to ISCO 2008. 27 EU Countries. Weighted results are reported in percentages. The last column reports the relative percentage of employed population aged 25-64 for each occupation status. Observations: 117,543. App A=Approach A, App B=Approach B, see Chapter 7 for definitions.
The AES contains data on respondents' type of occupation classified according to the *International Standard Classification of Occupations* (ISCO) of 2008. The table reports the percentage of adult residents who are linguistically included by occupational status for employed respondents.

ANNEX 5: MACHINE TRANSLATION

A5.1 What is machine translation?[93]

Various approaches to machine translation (MT) exist, each with its own set of advantages and disadvantages (Table A5.1). **One of the earliest approaches to modern MT is the** *rule-based* **approach**, which relies on dictionaries and grammar rules (e.g. syntax and morphology) to transfer a text from one language to another (Castilho et al., 2017). In short, a rule-based system breaks down a sentence expressed in the source language into words and rules and maps them to the words and rules of the target language. One of the advantages of rule-based systems is that they do not need bilingual texts for training and, as a consequence, are largely domain independent. In other words, a rule-based system will produce equally good results regardless of the domain of the text at hand. However, rule-based systems are costly to maintain and are notoriously bad at handling linguistic ambiguities and idiomatic expressions (Charoenpornsawat et al., 2002).

Research and development in MT have been steadily moving from rule-based approaches to more data-driven ones (Way, 2020). Indeed, a second approach to MT is the *corpus-based* approach, which employs parallel bilingual corpora to train (that is, to teach) the software to translate. By and large, these corpora can be used in one of two ways. They can either be used to teach the software to re-apply linguistic patterns available in the original corpora to translate new texts by doing the appropriate substitutions (in which case we speak more specifically of *example-based* approach), or to have the software learn the probability distribution of certain strings of text in the source language being the translation of certain strings of text in the target language and then match them accordingly (*statistical* machine learning). Both of these corpus-based methods make a more efficient use of human resources and perform better in lexical selection than rule-based methods (Hutchins, 2007).

However, these approaches are highly domain dependent, that is, a translation can only be generated if a matching example exists in the reference corpus (Carl, 2000). In other words, these methods will often be unable to translate sentences from a domain that differs significantly from the domain of the texts used for training. Further, they might perform very poorly when it comes to structuring grammatically sound sentences.

To correct for the latter issue, **hybrid systems have been developed that combine rule-based and corpus-based approaches** (España-Bonet and Costa-jussà, 2016). In this regard, the EU launched two projects between 2006 and 2012 (EuroMatrix and EuroMatrixPlus) with a combined budget of EUR 8.3 million to develop and improve MT systems between all EU official languages. The project started from the acknowledgement that translations represent a considerable cost for EU institutions and for European businesses and aimed to create a viable alternative to human translators. A key result was the development of Moses, a free SMT engine that can be used to train statistical translation models from a source language to a target language and produce automatic translations in the target language.

The most recent approach dominating MT is *neural* **machine translation (NMT),** which relies on deep learning and artificial neural networks to predict the likelihood of word sequences using only a fraction of the memory needed by traditional statistical approaches (Bentivogli et al., 2016). Although the initial set-ups of NMT did not differ significantly from traditional statistical machine learning (SMT), with the introduction of the encoder-decoder framework and source language-attention models the improvement became quite significant (Sutskever, 2014; Bahdanau et al., 2014). According to Rivera-Trigueros (2021), the dominance of neural systems is such that the world's biggest MT providers, such as Google, Systran and Microsoft, have long integrated them in

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their systems, while only small MT providers are still relying mostly on SMT. In particular, Google introduced the "Google Neural Machine Translation" (GNMT) in November 2016, a neural machine translation system that learns from millions of examples and uses artificial neural networks to improve accuracy and fluency (Wu et al., 2016). The consequences of this go well beyond the simple possibility of translating one's own strings of texts (such as an email) across languages in an accurate way. For example, Jackson et al. (2019) showed that Google Translate can be used reliably for translating medical papers published in other languages into English for the purpose of abstracting data for systematic reviews.[94] Table A5.1 summarises the discussion about the various type of MT systems.

Table A5.1: Strengths and weaknesses of different machine translation approaches

	Rule-based	**Data-driven**	**Hybrid system**	**Neural**
Strengths	-No need for bilingual text inputs -Domain independent	-Efficiency gains -Better performance in lexical selection	-Grammatically sound -Less domain dependent	-Relies on state-of-the-art machine learning technologies
Weaknesses	-Costly -Poor performance in handling ambiguous expressions	-Domain dependent -Requires great amount of data	-Requires considerable financial investment	-Requires a great amount of training data

A5.2 Machine translation providers

There are many large-scale MT systems available at present, some of which are freely available online. There are numerous studies comparing the performance of different MT systems for various language combinations and under different conditions. A comparison of four different online MT systems (Systran, SDL, WorldLingo, and InterTran) for translations from Spanish into English found that Systran and WordLingo produced generally better and more understandable sentences (Aiken and Wong 2006). Hampshire and Salvia (2010) found that Google Translate ranks highest on translating sentences with a formal register, but it is outperformed by Babylon when it comes to translating idiomatic expressions.

More recently, Vanjani and Aiken (2020) proposed a systematic comparison of eight major MT providers, namely Google Translate, Bing Translator, Systran, PROMT, Babylon, WorldLingo, Yandex, and Reverso. In line with previous studies, Google Translate was found to be more accurate overall compared to the other MT systems, particularly when the source language and target language are genetically similar. The same cannot be said for pairs of very different languages. Therefore, Google Translate might not be the best option for some specific language pairs. However, as compared to other MT systems, Google Translate supports many more languages (109 as of November 2021, plus 126 under development). Google Translate is indeed the most used MT provider of all. According to Way (2020), Google Translate was translating 143 billion words per day as of May 2016, and this number can only have increased over the past five years. A human comparison between the accuracy of MT made via DeepL, Google Translate, Amazon Translate, Microsoft Translator has been released in 2020.[95]

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[94] The authors tested translation into English from nine different languages (Chinese, French, German, Italian, Japanese, Korean, Romanian, Russian, and Spanish).
[95] Available here: https://www.deepl.com/press.html#press_comparison_article

The use of translated EU documents by private companies such as Google to develop MT tools has led to debate about the balance between the private and public benefits flowing from EU translation work. In 2010, the MEP Evelyn Regner submitted a question to the Commission concerning the fact that Google, a private US-based company, uses translated EU documents to train its MT system. Noting that EU translation services are paid by EU taxpayers, she pointed out that Google indirectly gains a competitive advantage and profits financially from the use of translated EU documents.[96] The Commission replied that it was aware that Google, as well as many other private entities, re-uses their translated documents for commercial purposes and that this is allowed under Directive 2003/98/EC of the Parliament and of the Council.[97] It also noted that the wider reuse of public sector information and services subsequently generated by such reuse should be seen as something positive that fosters cultural and economic growth. In particular, it specifies that "[t]he fact that an improved translation tool is widely available and used is a positive step towards overcoming the language barriers to access knowledge and cross-border information services."[98] From this it is clear that EU institutions are aware of the important role that MT plays and will play in the years to come, which shapes their approach to the integration of MT in the translation activities.

The use of machine translation in the EU institutions

Cadwell et al. (2016) note that eTranslation (see Chapter 8) was initially used "with a pinch of salt" by translators. However, it is now deeply integrated in the workflow of the DGT[99] and, while some might prefer not to resort to it, it is generally well accepted by translators (Rossi and Chevrot, 2019). Ever since the inception of the MT system, the Commission has always encouraged translators to acquire greater familiarity with MT systems. This strategy seems to be fitting, considering the findings of Rossi and Chevrot's (2019) survey of translators working at the European Commission concerning their knowledge about and relationship with machine translation. A significant negative correlation was found between knowledge about MT and perception of MT as a threat (that is, it makes translators feel insecure about their job). However, they also observed that those who have a better understanding of MT make a pertinent and conscious use of it, whether it is for post-editing the MT-generated output[100] or simply drawing inspiration from it. This confirms previous findings by Cadwell et al. (2016), who found that translators who adopted MT in their workflow tended to view the technology as helpful and able to meet their needs.

There are several practical cases of applications of MT in the EU institutional context and initiatives to support the future development of MT. The first one is the European unitary patent. **The European unitary patent** is a very instructive case to start a discussion around the need for a wider use of high quality machine translation. The European unitary patent is an EU-wide system that allows citizens to apply for a single patent that is simultaneously valid in all countries that have ratified the initiative. While it does not replace registration at national level, the unitary patent requires, among other things, a single renewal fee, a uniform protection, and a single court (the Unified Patent Court) deciding over patent matters. It was initially intended to become operational in 2018, but it has been delayed multiple times for various legal reasons and is currently due to become effective in 2022. One of the key points of the unitary patent is that applications can be filed in English, French, or German, the official languages of the European Patent Office, and that no

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96 Written question E-3436/10 by Evelyn Regner (S&D) to the Commission (in German). Available here: https://www.europarl.europa.eu/doceo/document/E-7-2010-3436_DE.html
97 Directive 2003/98/EC: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0098.
98 Answer to question E-3436/10 given by Mrs Kroes on behalf of the Commission (in German): https://www.europarl.europa.eu/doceo/document/E-7-2010-3436-ASW_DE.html
99 In short, when a request for a translation is sent from other DGs to the DGT, it is first processed by the MT system and then sent to a translation manager that redirects it to translators. The latter can decide to post-edit the MT output or restart from scratches.
100 Post-editing is the process whereby a human translator modifies a machine-translated text to improve its quality. We can distinguish between "light" post-editing, in which modifications only aim at making the MT output understandable, and "full" post-editing, in which the translator aims at making it also stylistically appropriate and on a par with a human-translated text.

further translation will be required. Indeed, according to Council Regulation No 1260/2012, "the translation arrangements for European patents with unitary effect should be simple and cost-effective" but, at the same time, they should "ensure legal certainty and stimulate innovation" (European Council, 2012). The regulation states that machine translation can significantly support the diffusion of knowledge. However, the Council seems to have been aware that, at least at the time of the drafting of the regulation, MT systems were not a completely reliable tool. Indeed, the regulation states also that "[s]uch machine translations should serve for information purposes only and should not have any legal effect."

The arrangements of the regulation provide that the financial burden of translations is on the citizens. Indeed, requiring that applications be filed in English, French or German implies that applicants with other native language should bear the cost of translation (Gazzola, 2015). Besides, the regulation provides that "[i]n the event of a dispute concerning a European patent with unitary effect, it is a legitimate requirement that the patent proprietor at the request of the alleged infringer should provide a full translation of the patent" and that this translation "should not be carried out by automated means and should be provided at the expense of the patent proprietor." Under many other circumstances, applicants are requested to provide a full translation of the patent into English,[101] which, in the words of the Council, "is the language customarily used in the field of international technological research and publications." However, it should be noted that these conditions are only applicable during a "transitional period", vaguely defined as lasting until "a system of high quality machine translations into all official languages of the Union becomes available" or in any case no more than 12 years from the date of application of the regulation (January 2014).

A second example of application of MT is the **European Language Resource Coordination.** According to its White Paper, the European Language Resource Coordination (ELRC)[102] is a collaborative initiative launched by the Commission in 2015 whose aim is to collect resources to support the development of language technologies in all official European languages, as well as Norwegian Bokmål, Norwegian Nynorsk, and Icelandic (European Language Resource Coordination, 2019). Starting from an acknowledgement that language barriers can hinder the free flow of ideas, knowledge, commerce, people and communication, the initiative aims to contribute to the development of machine translation. While in the first stages the sole objective of the ELRC was to support the training of MT@EC (later, eTranslation), it now supports the general development of MT by sharing more than 80% of the language resources collected with the wider public for MT research and commercial applications in a public repository called ELRC-SHARE.[103]

Recently, the ELRC has been promoting the COVID-19 Multilingual Information Access (MLIA) initiative, a collective effort headed by the DG Communications Network along with the DG Translation and various communities involved in language technology to improve information exchange about the virus, across all EU languages.[104] The objective is to make information more readily available to the general public and to support researchers and medical personnel, regardless of the source language of the information. In particular, the ELRC has reoriented its data gathering activities to target multilingual resources specifically related to COVID-19. The ELRC repository now hosts more than 260 such language resources, such as multilingual data from the European Vaccination Information Portal, all of which are vital to optimising the performance of multilingual semantic search and machine translation. This wealth of linguistic resources helps to both identify and categorise relevant information and translate it more accurately.

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[101] More precisely, the regulation provides that translations should be made into English if the original application is in French or German, or into any EU official language if the original application is in English.

[102] ELRC: https://www.lr-coordination.eu/.

[103] ELRC-SHARE Repository: https://www.elrc-share.eu/.

[104] MLIA: http://eval.covid19-mlia.eu/.

Finally, it is worth mentioning the experience of the **NMT systems for the Estonian and Bulgarian EU Council Presidency**. The Estonian and Bulgarian EU Council Presidencies (during the second semester of 2017 and of 2018 respectively) had an AI-powered translation system specifically developed for them by a private company, who made use of the Commission's eTranslation system. The users of the NMT system included EU Council Presidency staff members, public sector translators in the hosting country of the Presidency, EU delegates, and international journalists covering the events (Pinnis and Kalnis, 2018). The system was specifically trained for Bulgarian and Estonian. It was mostly used to translate text snippets, documents, and websites using a responsive online translation website and a CAT tool plugin. The system went on to be integrated in the official websites of the Presidencies. The objective was to give "EU delegates, journalists, and visitors to the EU Council Presidency a way to automatically translate texts, documents, and websites between English, Bulgarian, German, French and Estonian." The system was found to outperform significantly both the general eTranslation system and Google Translate.

This study assesses the EU's approach to multilingualism in its communications policy. An innovative mixed methods approach is used to investigate compliance with multilingualism obligations and the language regimes and practices of EU institutions, bodies and agencies, especially on EU websites. The fit with the linguistic skills of EU27 residents is also investigated. Policy recommendations are provided to enhance the transparency and accessibility of EU communication policy taking account of feasibility constraints.