

Local languages in the European area of justice

The Ministry of Justice of France has warned the General Council of the Spanish Judiciary on the bad practices of some Catalan judges and magistrates, who send their resolutions to their French colleagues written in Catalan. France has raised a complaint to the CGPJ, which in turn has sent a letter to the president of the Superior Court of Justice of Catalonia, reminding that France will only accept foreign judicial communications in French, English, Italian, German or Spanish, and “do not accept any other language.”

The CGPJ explains the case of a Court of Cassa de la Selva (Girona), which sent a letter of request to the neighboring country drafted exclusively in Catalan. In the CGPJ’s opinion, this attitude amounts to a violation of the rules of linguistic uses. The CGPJ also points out that European countries have the power to decide which foreign languages other than their own they accept for judicial documents to be referred to them. It also notes that the French Huissiers de Justice are annoyed by the frequent use of Catalan in the forms and letters sent by Catalan courts.

According to a journalist point of view (see El Mundo, 17.05.2010), this approach of the judiciary may be influenced by the fact that both Catalan police and justice are instructed to prioritize the Catalan language in their writings. In case their documents have to be sent to another Spanish court outside Catalonia, they must be translated. This obligation can not be extrapolated to countries where the language of communication is not recognized as official.

The CGPJ has urged Catalan judges not to send more documents written in Catalan to the neighboring country.