



WORLD FEDERATION OF THE DEAF

Global perspectives on Sign Language legislation

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VISION



*Human rights for deaf people
including recognition of sign
language in all aspects of life*

***Human rights for deaf people including recognition of
sign language in all aspects of life***

INTRODUCTION

- Sign language is regulated on many levels of legislation, from constitutions to separate sign language acts and other acts mentioning the status of sign language.
- The relationship between sign language legislation and the United Nations Convention on the Rights of Persons with Disabilities
- Acts on sign language – how and by whom is the implementation monitored, and what tools or measures are used?
- The authorities' awareness of sign language legislation and the users' (linguistic) awareness of their linguistic rights

SIGN LANGUAGE ACT AND LEGISLATION IN DIFFERENT COUNTRIES

- Constitutional Recognition
- Recognition by Means of General Language Legislation
- Recognition by Means of a Sign Language Law or Act
- Recognition by Means of a Sign Language Law or Act, including Other Means of Communication
- Recognition by Means of Legislation on the Functioning of the National Language Council

De Meulder, M. (2015b). The legal recognition of sign languages. *Sign Language Studies*, 15(4), 498–506.



The Legal Recognition of Sign Languages by Type of Legislation



The Legal Recognition of Sign Languages by Type of Legislation



Types of Legal Recognition

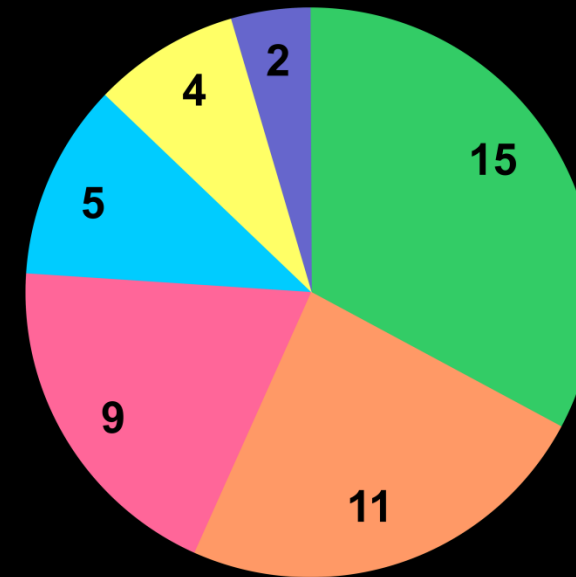
- Constitutional Recognition
- General Language Legislation
- Sign Language Law or Act
- Sign Language Law or Act and Other Means of Communication
- National Language Council Recognition
- Disability Legislation

The Legal Recognition of Sign Languages by Type of Legislation



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1995 Uganda	2005 Turkey	2010 Zimbabwe
1995 Finland	2005 Mexico	2010 Catalonia (Spain)
1995 Slovakia	2006 New Zealand	2010 Chile
1995 Lithuania	2006 Cyprus	2011 Hungary
1996 South Africa	2006 Flanders (Belgium)	2011 Iceland
1996 Colombia	2007 Estonia	2011 Poland
1997 Portugal	2007 Spain	2011 Japan
1999 Venezuela	2008 Ecuador	2012 Russia
1999 Latvia	2008 Czech Republic	2014 Denmark
2001 Uruguay	2009 Sweden	2015 Finland
2002 Brazil	2009 Bosnia and Herzegovina	2015 Serbia
2002 Slovenia	2009 Macedonia	2015 South Korea
2002 Romania	2009 Hungary	2015 Scotland (United Kingdom)
2002 Germany	2009 Norway	2015 Papua New Guinea
2003 Wallonia (Belgium)	2010 Kenya	2016 Malta
2005 Austria		



- Constitutional Recognition
- General Language Legislation
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This infographic shows which UN Member States (and autonomous entities within these States) have explicit legal recognition of sign languages. Explicit means legislation which clearly recognises the language as a distinct language for all deaf people in that country. Many other countries have laws which *implicitly* or *partially* recognise sign language, such as laws on interpreting or education for deaf children. These laws are not included here.

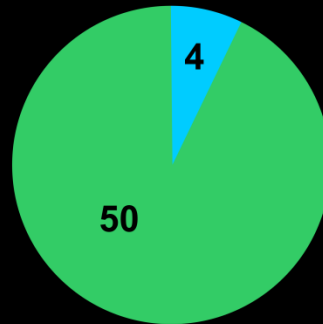
Of the countries included here, some have Constitutional recognition. Others recognise sign language as part of general language legislation which also recognises other languages in that country. Some have a dedicated sign language law. Others include recognition in a law that also recognises other means of communication. Some recognise sign language through the establishment of a national language council. Still others have recognised their sign language through broader legislation tied to disability.

The Legal Recognition of Sign Languages by Continent

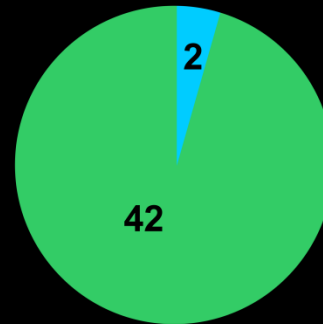


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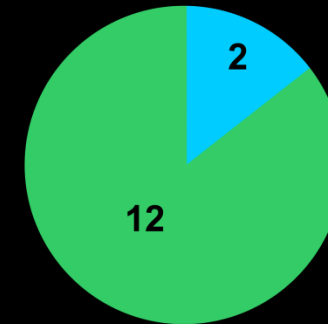
Africa



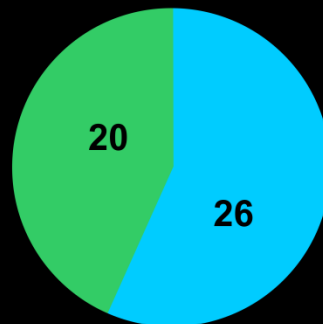
Asia



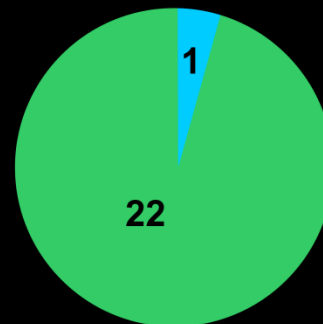
Australia & Oceania



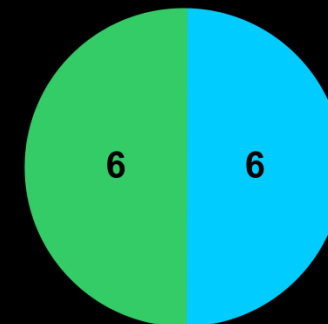
Europe



North America



South America



- Countries with Sign Language Recognition
- Countries without Sign Language Recognition

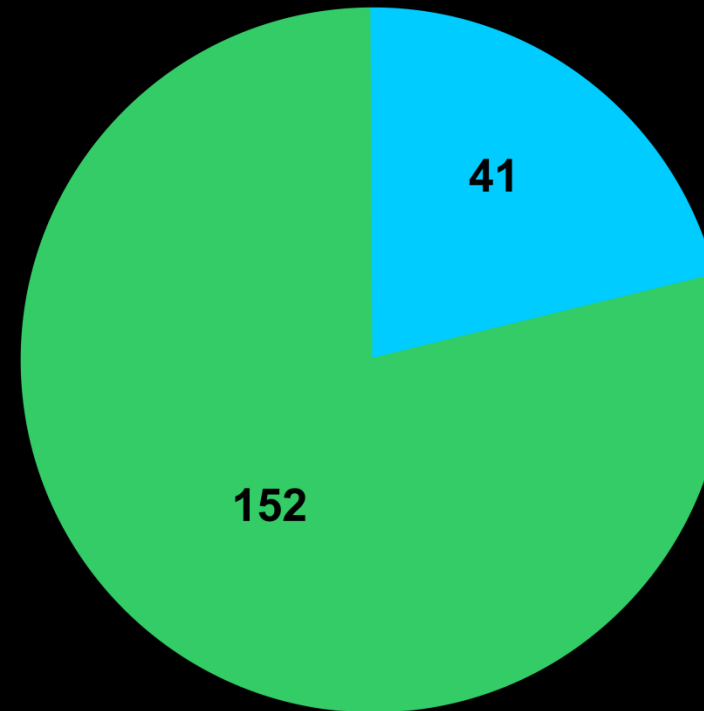
For the purposes of this infographic, we are defining countries as Member States of the United Nations, of which there are 193.

The Legal Recognition of Sign Languages by Country



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- | | |
|------------------------|------------------|
| Austria | Mexico |
| Belgium | New Zealand |
| Bosnia and Herzegovina | Norway |
| Brazil | Papua New Guinea |
| Chile | Poland |
| Colombia | Portugal |
| Cyprus | Romania |
| Czech Republic | Russia |
| Denmark | Serbia |
| Ecuador | Slovakia |
| Estonia | Slovenia |
| Finland | South Africa |
| Germany | South Korea |
| Hungary | Spain |
| Iceland | Sweden |
| Japan | Turkey |
| Kenya | Uganda |
| Latvia | Uruguay |
| Lithuania | Venezuela |
| Macedonia | Zimbabwe |
| Malta | |



- Countries with Sign Language Recognition
- Countries without Sign Language Recognition

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SUMMARY OF LEGISLATIONS

- Sign language(s) is mentioned only in legislation on disability, equality, or education
- Recognition of sign language(s) is granted by a declaration or governmental decision (no explicit legal recognition)
- Sign language(s) is mentioned in state or provincial legislation but yet to be recognised at the federal level (for example, US and Canada)

RELATIONSHIP BETWEEN SIGN LANGUAGE LEGISLATION AND THE UN CRPD

- **Article 2 - Definitions**

"Language" includes spoken and signed languages and other forms of non-spoken languages;

- **Article 9 - Accessibility**

- **Article 21 - Freedom of expression and opinion, and access to information**

- **Article 24 - Education**

- **Article 30 - Participation in cultural life, recreation, leisure and sport**

CASE IN FINLAND

- In Finnish legislation, sign language has been recognised in the **Constitution of Finland** since 1995
- The provision of the Constitution to protect the language proved to be ineffective, due to **the lack of awareness of authorities**
- The Ministry of Justice established a working group based on the request of the Finnish Association of the Deaf (FAD) and later by the Prime Minister Katainen and his government. The working group prepared a **report on the status of the signed languages of Finland: Finnish and Finland-Swedish Sign Language, and of the linguistic environment of the language users**



Markku Jokinen
@MarkkuJokinen

Parliament approved Finnish Sign Language Act! Hooray!



3:21 PM · 12 Mar 15

CASE IN FINLAND – CONT'D

- The working group prepared a proposition for a new Sign Language Act, **using e.g. the Constitution of Finland and the CRPD (2016) and Equality Law (2015) as the frame of reference.**
- The Constitutional Law Committee stated that the Finnish government must **monitor** the implementation of the Sign Language Act and **promote** the status of the languages and their use.
- **The Sign Language Act** entered into force 1.5.2015.



Constitution (1999/731)

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graph TD; A[Constitution (1999/731)] --> B[Section 17 - Right to one's language and culture]; B --> C[Language Act (2004/433)]; B --> D[Sámi Act (2003/1086)]; B --> E[SL Act (2015/359)]; C --> F[Other special laws: education, information, social and health services, justice, early childhood, etc]; D --> F; E --> F; F --> G[Guidelines, recommendations and alignments for government];
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Section 17 - Right to one's language and culture

Language Act
(2004/433)

Sámi Act
(2003/1086)

SL Act (2015/359)

Other special laws: education, information, social and health services,
justice, early childhood, etc

Guidelines, recommendations and alignments for government



CHALLENGES

PURPOSE OF THE ACT

- Why is an Act on sign language needed?
- Does a general act improve awareness of the authorities?
- Does a general act i.e. protect the endangered status of Finland-Swedish Sign Language?

AREA OF APPLICATION

- To what and whom will the Act be applied?

RELATION TO OTHER LEGISLATION

- Poorly executed general Act can restrict the rights of sign language users.
- Finland has ratified the Convention on the Rights of Persons with Disabilities in May 2016.

DEFINITION

- Who will monitor the rights of persons using sign language?
- Will it have the mandate to issue sanctions?

SIGN LANGUAGE ADVISORY WORKING GROUP

TERM	2017 – 2018 (2 years)
GOALS	Address current issues regarding sign language and strives to ensure systematic information flow between relevant actors.
TASKS	To prepare a report on the overall situation of Finland-Swedish Sign Language users (Sign language education, research, current interpreter availability, possible recommendations for development) and to monitor the implementation of the Sign Language Act.
REPRESENTATIONS	<ul style="list-style-type: none">• Ministry of Justice• Ministry of education and Culture• Ministry of Social Affairs and Health• The Finnish Association of the Deaf• The Association of Finland-Swedish Sign Language Users

ISSUES TO CONSIDER

- Sign Language Act in relation to Equality Law?
- Sign Language Act in relation to CRPD?
- Linguistic awareness of signers? They need the guidelines for using their linguistic rights.
- Linguistic awareness of authorities? Need to raise awareness and influence national policy-making on sign language recognition!
- What does "an obligation to promote" mean? The obligation to promote equality applies to all public authorities (both national and local level) – but how..?



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**THANK YOU FOR
YOUR ATTENTION**