



**Towards a Japanese Sign Language Act:
Lessons learned in Europe/Belgium**

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FOUR PARTS:

1. Introduction: why recognition of sign language is necessary
2. International level
3. European level
4. Flanders





1. INTRODUCTION



- Right to use sign language (SL):
 - key to inclusion in society
 - one of our most basic human rights: the right to communicate (Deaf vs hearing)
- The right to communicate in SL is directly connected to access to education, employment, enjoyment of citizenship rights, culture, media, free time, etc. => access to society = inclusion
- Thus, no legal recognition of sign languages means social exclusion for Deaf people



- Our right to SL
 1. = part of our human rights
 - **Universal Declaration of Human Rights (1948)**: WFD survey (2009): the most important human right for Deaf people is the *recognition of SL* and access to it, along with access to bilingual education and sign language interpreters, as well as general access to information and public services, including courts



2. = minority rights

- Based on **Universal Declaration of Human Rights (1948)**:
- Deaf people are on the one hand at the intersection of *human rights* and *language rights*, and on the other hand they can also claim *disability rights*. They also form part of a **linguistic minority** and therefore they need to be safeguarded and protected by legal measures.



- 3. = Linguistic human rights
 - Developed by Tove Skutnabb-Kangas
 - Combination of language rights and human rights
 - Linguistic human rights are *only those rights which are “necessary to satisfy people’s basic needs”*
 - = for deaf people the right to have access to, learn and use a sign language! Without SL communication is not possible.





2. INTERNATIONAL LEVEL



- UN Convention on the Rights of Persons with Disabilities (UNCRPD)



- ✓ One of the most important documents in the fight for equality for Deaf and disabled people
 - ✓ Adopted in 2006, in force from 3 May 2008
 - ✓ over 150 states signed (Belgium on 30.03.2007 - Japan on 28.09.2007 but not the protocol) and 115 states ratified it (Belgium on 02.07.2009 - Japan on 20.01.2014)



United Nations Convention on the Rights of
Persons with Disabilities (UNCRPD)

WE ARE ABLE! Enhancing Possibilities, Celebrating Abilities



- ✓ The first international treaty to mention *sign language* in its main text, thus safeguarding the rights of SL users



CONFERENCE OF
STATES PARTIES
TO THE CRPD





3. European level



- **Aim**: to put the recognition of sign languages higher on the EU political agenda
- **How**: by investigating what blocked the recognition of sign languages and, more generally what **problems** and **barriers** Deaf people were faced with
- **Result**: Deaf people became aware of **their 2nd class status** as **invisible citizens** and found this unacceptable: time for action!



- legal recognition of sign languages in many countries in Europe
- Spark/renew political attention into SL as the preferred language of Deaf people => political recognition of SL





European Union (EU): now
28 states

- SL Project based on: ***European Parliament Resolution of 17 June 1988 on Sign Languages*** for the Deaf to help promote the right of Deaf people to use sign language/s as their preferred language = first 'official' mention of sign language in EU text
- Resulted in 1998 into a new ***European Parliament Resolution on sign languages***





Council of Europe (CoE): 47 states

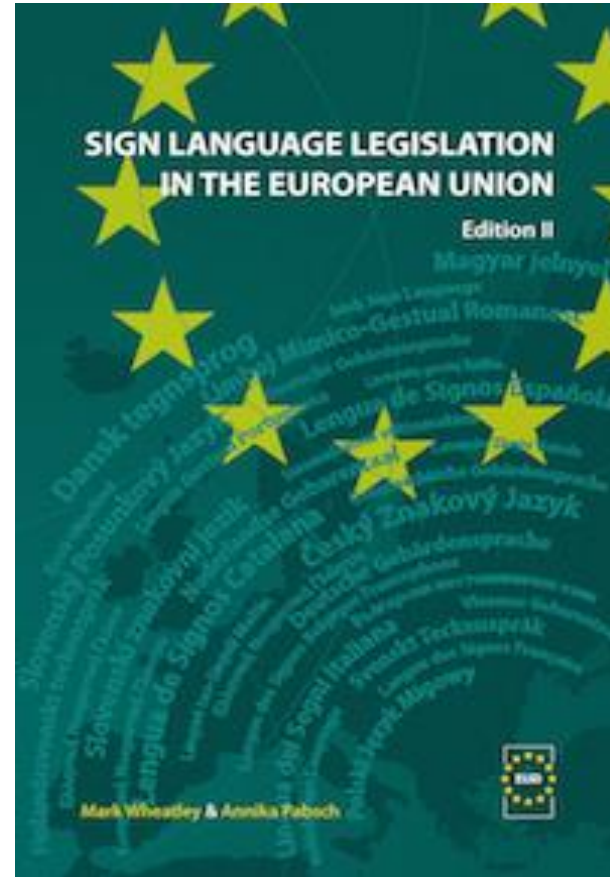
➤ Recommendation 1492 (2001) which called upon the Committee of Ministers to give “*various sign languages utilised in Europe a protection similar to that afforded by the European Charter for Regional or Minority Languages*”

➤ Recommendation 1598 (2003) on the protection of sign languages in member states of the Council of Europe

=> sign languages recognised by CoE as the expression of Europe’s cultural and linguistic wealth and heritage



EUD published a comprehensive **oversight of legislation regarding sign language** in the European Union (2nd edition)





4. Flanders



- My first priority after my election into the Flemish Parliament in 2004!
- In close consultation with the Deaf Community and Flemish Deaf Association
- Helped by a petition launched in 2005 by 'Deaf Action Front' (DAF) which resulted in 70.000 signatures being submitted to Flemish Parliament
- My proposal for a decree was passed unanimously on 26 April 2006 in the Flemish Parliament and signed by the Flemish Government on 5 May 2006



- 3 main points in decree recognising Flemish Sign Language (VGT)
 - ✧ Official recognition of SL in Flanders
 - ✧ Advisory Committee on VGT:



- ✧ Funds to establish a Flemish Sign Language Centre to promote and carry out linguistic research on VGT:



Did the recognition of VGT have a real **impact** on the daily lives of Deaf people?

- Answer: yes and no
- Recognition is only the first step. But a law is just a piece of paper if the Deaf community doesn't follow up.



Let us have a closer look at the situation in Flanders

Funding for SL related projects:

▪ **Flemish Sign Language Centre:** linguistic research into VGT + promotion of VGT. Deaf experts! However, we need more deaf linguistic experts...

▪ **By law:** funding for **projects** related to VGT:

- workshops for VGT interpreters
- Project *VGT Doe mee!* (*“VGT Join us!”*): aimed at deaf children and their parents: offers a signing environment to kids and the parents the opportunity to learn more about SL and ‘deaf culture’, etc.
- Training for deaf people to become professional presenters (TV, shows,...)
- ...



Yes, expanded budget for provision of SL interpreters at work

- VDAB (Flemish labour mediation service) provides VGT interpreting support for:
 - Training for job seekers
 - Interviewing with prospective employers
 - Also distance interpreting
 - Work related meetings or consultations with colleagues, supervisors etc: up to 10% of working time (can double to 20%) (for both deaf employees and deaf self-employed people)



Yes: culture (however...)

- More theatres willing to provide SL interpretation: better access (?)
- But criticism: funding can be better used for deaf theatre/drama
=> dilemma? No!



Yes: visual media (albeit slowly):

Historically focus on subtitling:

- Flemish public TV: 95% of Dutch speaking programmes subtitled as of 2010
- Flemish commercial TV: legal measure introduced in 2009 to force them to subtitle (more) Dutch speaking programmes



Sign language on TV since Sept 2012:

- the 7 o'clock news (30 minutes) is sign interpreted (videostreamed)



- A Deaf presenter co-presents the daily children's newsprogramme 'Karrewiet' in VGT



- **Education:**
- **Deaf schools** in Flanders still do not encourage the use of VGT. Not really a sign friendly environment. VGT only 'good enough' if all else fails, instead of promoting bilingualism



In **mainstream schools**: as of Sept 2013 deaf students can ask for the provision of SL interpreting support, but lack of SL interpreters and other problems



- Compared to hearing students: deaf students still cannot develop their full potential due to barriers
- “waterfall effect” or worse: at risk for dropping out of school
 - Long term consequence:
 - limited access to higher education/university due to inadequate advance preparation
 - they end up in lower paid jobs





No full access to health care

- Hospitals (& doctors in private practice): no interpretation support in VGT, except at 2 university hospitals and distance video interpreting in some hospitals. But (hearing) people of **foreign origin** can get interpretation into their own language.

- For newborn: Child & Family Service: interpretation provided (till child is 2,5 years old)



GAP between the law and real life:

- Legal recognition alone is not enough
- Government must have **global approach** and take **accompanying measures** to improve social inclusion of deaf people. Policy makers often not aware of the impact of 'deafness'.
- => Use the UN Convention on the Rights of People with Disabilities!
- National Deaf Association must tell the government what deaf people need. They must network with other organisations to increase political leverage and find support



- Deaf people faced with various barriers:
 - In 'Conflict' or 'competition'
 - with the medical world which advocates **cochlear implants**
 - Parents of deaf children who are seen as the guardian of their deaf child but who sometimes have a different view on what **inclusion** means





Thank you for your
attention!

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