

Chapter 13

Recognition of Sign Language Under International Law: A Case Study of Dutch Sign Language in the Netherlands



Swen Meereboer, Kika Meereboer and Otto Spijkers

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Abstract Dutch Sign Language is a standardized language used by deaf and non-deaf people in the Netherlands. The government supports and promotes Dutch Sign Language, but it has not been recognized as an official language in the Netherlands, which is very much desired by the deaf community in the Netherlands.

Kika Meereboer has been deaf since she was two years old. Swen Meereboer is her younger brother.

S. Meereboer (✉)
Amsterdam, The Netherlands
e-mail: swen.meereboer@gmail.com

K. Meereboer
Amsterdam, The Netherlands
e-mail: kikamebo@gmail.com

O. Spijkers
Department of International and European Law,
Utrecht University School of Law, Utrecht, The Netherlands
e-mail: o.spijkers@uu.nl

The Convention on the Rights of Persons with Disabilities, which was ratified by the Netherlands in 2016, gave a new impetus to the supporters of recognition of Dutch Sign Language, and the same year a bill was proposed by two members of the lower house of the Dutch Parliament. National sign languages have been officially recognized by other European states, but the Netherlands holds that a formal recognition of Dutch Sign Language is not necessary. Therefore, a closer examination of the Convention on the Rights of Persons with Disabilities might shed some light on the question of the recognition of a national sign language.

Keywords Sign language · Disabilities Convention · Deaf community · Official language · Human rights · Netherlands

13.1 Introduction

In October 2016, two Members of the Lower House of the Dutch Parliament, Roelof Van Laar and Carla Dik-Faber, proposed a bill titled *Wet erkenning Nederlandse Gebarentaal* (Law on the Recognition of Dutch Sign Language).¹ Hereby the drafters referred to Article 21b and Article 21e of the Convention on the Rights of Persons with Disabilities (hereafter the Convention)² as one of the reasons to introduce a bill³ that formally recognizes Dutch Sign Language.⁴ Just a couple of months before the bill was introduced, the Netherlands had ratified the Convention on 14 July 2016. In this chapter, we will elaborate on the question of the recognition of Dutch Sign Language by the Netherlands and its relationship to the provisions on deaf people and sign language in the Convention on the Rights of Persons with Disabilities. Therefore, we need to examine the state practice of the government of the Netherlands and the *travaux préparatoires* of the Convention. But we will start off with the issue itself, recognition of a minority language, based on a personal experience of one of the authors.

13.2 Dutch Sign Language, the Personal Experience of a Deaf Person

[Sign language] is, in the hands of its masters, a most beautiful and expressive language, for which, in their intercourse with each other and as a means of easily and quickly reaching the minds of the deaf, neither nature nor art has given them a satisfactory substitute. It is

¹ In Dutch, ‘Nederlandse Gebarentaal’ (NGT) is commonly written with capital letters although this has not been decided officially. In the English language the national sign languages are written with capital letters, for example American Sign Language (ASL) or British Sign Language (BSL).

² Convention on the Rights of Persons with Disabilities, A/RES/61/106 (24 January 2007), 2515 UNTS 3 (‘CRPD’).

³ *Kamerstukken II 2016/2017*, 34 562, nr. 2.

⁴ *Ibid.*, at 4.

impossible for those who do not understand it to comprehend its possibilities with the deaf, its powerful influence on the moral and social happiness of those deprived of hearing, and its wonderful power of carrying thought to intellects which would otherwise be in perpetual darkness. Nor can they appreciate the hold it has upon the deaf. So long as there are two deaf people upon the face of the earth and they get together, so long will signs be in use.⁵

This is a very moving text. It was written in 1910 and that is significant, because sign language was banned in 1880 in the education of deaf children in the Western world. Deaf children were not allowed to encounter sign language, because hearing people claimed that the use of sign language would impede their speaking skills.

Let us go back to the beginning of the eighteenth century, in which sign language began to become appreciated and to be considered the language of deaf people. In the nineteenth century, deaf people in the United States and France could themselves establish deaf schools where the manual method was used. At the time, the teaching staff consisted largely of deaf people.⁶ This practice came to an end in 1880, when it was decided, at an International Congress in Milan (Second International Congress on Education of the Deaf), that henceforth only the oral method could be used in deaf education (in Europe and the United States), and that the manual method was rejected.⁷ Remarkably, the deaf teachers that were present at the Congress had no right to vote. Sign language was marginalized and got no recognition. The consequence of this was that, although deaf people continued to use sign language, they felt ashamed to use sign language, as it was regarded as a primitive and inferior language by the (mostly hearing) society.⁸

Let us now move forward by exactly one hundred years. What follows is a brief personal statement from one of the authors, Kika Meereboer, who is herself deaf since her second birthday:

Exactly one hundred years later after the International Congress in Milan, in 1980, I was four years old and I attended a school for the Deaf. In that period, sign language gradually returned to education – as part of a policy of Total Communication⁹ – and so I did not experience the consequences of the prohibition to use sign language. The Dutch language was my native language from birth, but since the moment I became deaf, the access to information in spoken language was closed to me. In a school report of 1980, I was described as a studious and lively little girl, who went out to discover the world with sign language. I needed sign language and visualizations to learn to understand the world. This sudden change in my young years – I became deaf on my second birthday – was especially hard for my parents. Not for me personally, because I quickly adapted to the environment. Especially when I first visited a deaf school, and saw children using sign language. I knew that this was my world. A new world was opened for my parents. They quickly learnt sign language to communicate with me and it all went smoothly. Sign language naturally

⁵ Schuyler 1910, as cited in Sacks 1989.

⁶ De Meulder 2005, at 17.

⁷ *Ibid.*, at 18–19.

⁸ *Ibid.*

⁹ Total Communication is described as using all communication means. The child can communicate through gestures, spoken language, objects, drawings, photographs, and pictograms with the environment (<http://www.rafaelschool.nl>, accessed 20 December 2017).

entered my life. Through sign language, I learnt to read and write. The more books I read, the bigger the world became for me, and the better developed my Dutch language skills.

The definition of ‘native’ or ‘mother language’ can be approached from different perspectives, but for me personally it is not the first language I learnt as a young child. Dutch Sign Language is my native language, because I feel at home in this language, and I can best express myself in that language. Remarkably, I only learnt to truly master Dutch Sign Language when I was 23 years old. I was taught at a primary school in the Total Communication method and used Dutch with Sign Language at a secondary school for hearing-impaired students.¹⁰ During a three-month stay in Sweden, where I did a traineeship at a deaf school, I learned Swedish Sign Language. It was there that I first got acquainted with Deaf culture and learned Swedish Sign Language with its own grammar and lexicon.¹¹ At the time, Sweden was 20 years ahead of the Netherlands. Swedish Sign Language is recognized as a language for education already since 1980. I was completely confused, because I did not know what Deaf culture was. Once I returned to the Netherlands, I realized what sign language meant to me. I quickly switched to Dutch Sign Language. I felt so free then, because Dutch Sign Language to me was a language without any restrictions.

With the arrival of cochlear implants,¹² the status of sign language in education is again disputed, and Dutch Sign Language is once again regarded as a second language. History seems to repeat itself. My experience is that there is always this fear that sign language stands in the way of speaking, even though it has never even been shown that sign language has a detrimental impact on speech and language development. Why the fear of using sign language? I cannot imagine an education or life without sign language. I could never have completed university education without a Dutch Sign Language interpreter. There are deaf people that go through life using only oral language. They do not consider sign language as their native language. That is their right. Every person has the right to decide which language she or he feels most at home with and which is the most accessible to her or him. Therefore, I strongly believe that sign language must be offered to deaf children in their early years. This allows them to choose their preferred language themselves, when they grow older.

As indicated above, Schuyler Long wrote, in 1910, that ‘so long as there are two deaf people upon the face of the earth and they get together, so long will signs be in use’. Dutch Sign Language is in great shape and is used everywhere and more and more frequently. The visibility of Dutch Sign Language is increasing: on social media, in the deaf community, and even in the museums of Amsterdam and beyond. To be more accessible, some museums have employed specially trained guides for the deaf. More and more hearing parents use sign language in the early years of their hearing children, because hearing children can use sign language at much earlier age than speaking a spoken language. Sign language is the language of

¹⁰ Dutch supported gestures (SSD) is not a natural language of deaf people. It is not a real language with its own grammar and lexicon, but it is derived from Dutch and Dutch Sign Language.

¹¹ Deaf culture is the term used to indicate people who are cultural deaf as opposed to people who are deaf from a medical perspective. The word ‘Deaf’ is written with capital D if it is used in the cultural sense of the word.

¹² A cochlear implant (CI) is a medical electronic device that is surgically implanted around the cochlear or the inner ear. As digital codes are transmitted from an external sound processor to the cochlear implant, this device can directly stimulate the cochlear nerve. As a result, cochlear implants can provide hard of hearing or even deaf people with a sense of sound.

deaf people, but it is also a language that can be used by hearing people. There are also hearing people raised with sign language, and who consider this language as their mother tongue; these are mostly children of deaf parents.¹³ Since the 1960s sign language is considered a real language with its own grammar and vocabulary.¹⁴ It is also a beautiful and vivid language. A language that deserves formal recognition.

13.3 Recognition of Dutch Sign Language in the Netherlands

Under the domestic law of the Netherlands, Dutch Sign Language is not officially recognized. In the explanatory memorandum of the bill, the drafters acknowledge that Dutch Sign Language is recognized in Dutch society and has been standardized with the help of the Dutch government, though an official legal recognition is still pending.¹⁵ Dutch Sign Language has been standardized by the Dutch Sign Centre,¹⁶ which has been recognized by the Dutch Department of Education, Culture and Science as the Lexicographic Institute for Dutch Sign Language since 2004. Next to standardized Dutch Sign Language, there are also variations of regional signs used in different parts of the Netherlands.

In the Netherlands, the use of sign language in special education for children with hearing impairment and the rights of deaf persons, for example to a subsidized sign language interpreter, are regulated by a variety of laws and regulations.¹⁷ The right of a deaf person to a sign language interpreter is part of the Dutch social security system. For example, a deaf person is entitled to a sign language interpreter at work, in private situations, the so-called ‘leefuren’ (literally translated as ‘life hours’), or when attending public education on all levels. At present there are some concerns about the continuity and the quality of the right of deaf persons to a sign language interpreter with regard to work or private situations due to a major reorganization and decentralization of responsibilities to local governments under the previous cabinet.¹⁸

¹³ CODA, an abbreviation of ‘Child of Deaf Adults’, is used to denote hearing children of deaf parents. CODAs grow up in a particular family situation. These children are often bilingual, with sign language as the second (mother) language next to the spoken language.

¹⁴ In 1960 an American linguist, William Stokoe, worked at Gallaudet University and discovered that sign language was more than just pantomime (see Van den Bogaarde 2014, at 13).

¹⁵ *Kamerstukken II* 2016/2017, 34 562, nr. 2, at 4.

¹⁶ See the English version of the website of the Dutch Sign Centre, <https://en.gebarententrum.nl/>, accessed 20 December 2017.

¹⁷ See for a non-exhaustive list of legislation on Sign Language and Deaf culture (in Dutch), *Kamerstukken II* 2016/17, 34 562, nr. 2, at 6–7.

¹⁸ *Kamerstukken II* 2003/2004, 32 805, nr. 51.

Furthermore, the right of a deaf person to have a sign language interpreter present in criminal procedures stems directly from an international treaty obligation of the Netherlands: the phrase ‘to be informed promptly in a language he understands’ that can be found in Articles 5 and 6 of the European Convention on Human Rights¹⁹ is interpreted not only to include foreign languages but also sign languages in general, thus including Dutch Sign Language. Accordingly, the right to a sign language interpreter is laid down in Article 131b of the Dutch Criminal Procedure Code.²⁰

There are quite some references to sign language or Dutch Sign Language under the domestic law of the Netherlands. Therefore, it could be argued that the Netherlands has over time *implicitly* recognized Dutch Sign Language as an official language, as has been proposed by some authors.²¹ Nonetheless, the *explicit* legal and formal recognition of Dutch Sign Language by the Netherlands has been a matter of debate since the 1980s; the question of *juridische verankering* (the legal anchoring) of Dutch Sign Language has come up many times in official documents.

13.4 The Government’s Position on the Recognition of Dutch Sign Language

At the European Union (EU), the National Associations for the Deaf have been represented by the European Union for the Deaf since 1985.²² An early success came in 1988 when the European Parliament adopted a resolution calling upon the European Commission to make a proposal to the European Council to recognize the national sign languages of EU Member States.²³ This resolution was reiterated by the European Parliament in 1998.²⁴ More recently, in 2016, another resolution was adopted by the European Parliament that emphasizes the need for recognition of national and regional sign languages in EU Member States and in EU institutions,²⁵ after the widespread ratification of the Convention by EU Member States.

Following the first resolution of the European Parliament on sign languages, in 1990, the question of recognition of Dutch Sign Language was put before the Dutch Language Union, an international organization founded upon a treaty concluded by Belgium and the Netherlands. However, the Dutch Language Union stated that

¹⁹ 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms, 213 UNTS 221, Articles 5–6.

²⁰ Het Wetboek van Strafvordering, Article 131b.

²¹ De Meulder 2015, at 504.

²² The European Union for the Deaf, <http://www.eud.eu>, accessed 20 December 2017.

²³ European Parliament, Resolution on sign languages for the deaf, OJ C 187/236, 18 July 1988.

²⁴ European Parliament, Resolution on sign languages, OJ C 379/66, 7 December 1998.

²⁵ European Parliament, Resolution on sign languages and professional sign language interpreters, 2016/2952(RSP), 23 November 2016.

Dutch Sign Language was not within its competence, because sign language could not be considered the same as the Dutch language.²⁶ In 1996, the Netherlands ratified the European Charter for Regional and Minority Languages.²⁷ However, Dutch Sign Language was not included and would not fall under this Charter. In reply to a question from the Parliament about Dutch Sign Language as a minority language under the Charter, the Dutch state secretary (junior minister) of Interior Affairs stated that the government considered sign language ‘a functional language or a substitute for oral communication’.²⁸ From a linguistic perspective, this statement is incorrect: sign language is not a functional language, it has evolved naturally in humans without conscious planning having its own grammar, as was already established in the 1960s.²⁹

The matter of official recognition of Dutch Sign Language was referred to another advisory body, yet to be instituted. In 1996, the state secretary for Health, Welfare and Sports instituted the Dutch Sign Language Commission to advise the state secretary on the recognition of Dutch Sign Language.³⁰ The report ‘*Meer dan een gebaar*’ (More Than a Sign) was published by the Commission in 1997; it included an elaborated advice to the government on the possible legal recognition of Dutch Sign Language.³¹ But the Commission concluded that the actual implementation is a complicated case on the ‘administrative and technical level’ and recommended a research by legal experts.³² After many other EU Member States had adopted legislation to recognize the national sign language(s),³³ in 2003, a member of the Dutch Parliament (Evelien Tonkens) submitted a motion on the issue of the recognition of Dutch Sign Language to the government.³⁴ The state secretary for Health, Welfare and Sports replied that she would order an external research on an international comparison on the recognition of sign languages in other European states.³⁵ In June 2004, Deaf people held a demonstration in The Hague for the formal recognition of their language. However, the same year the state secretary informed the Parliament that the possibilities for legal recognition of Dutch Sign Language were limited. According to the Dutch government, the international comparison had shown that ‘legal recognition of sign language did not need be formalized per se’.³⁶

²⁶ Baker et al. 1997, at 81.

²⁷ 1992 European Charter for Regional and Minority Languages, ETS 148.

²⁸ *Handelingen II* 1995–1996, nr. 15, at 1026–1027.

²⁹ *Kamerstukken II* 2016/2017, 34 562, nr. 2, at 4.

³⁰ *Besluit Instelling Commissie Gebarentaal*, Stb. 1996, nr. 34, at 7.

³¹ Baker et al. 1997, at 78–83.

³² *Ibid.*, at 85.

³³ For an overview of states recognizing their national sign languages, see De Meulder 2015.

³⁴ *Kamerstukken II* 2003/2004, 29 200 XVI, nr. 62.

³⁵ *Kamerstukken II* 2003/2004, 28 600 XVI, nr. 85.

³⁶ *Kamerstukken II* 2003/2004, 29 200 XVI, nr. 249, at 2.

13.5 The UN Convention on Rights of Persons with Disabilities

Three years later, the United Nations (UN) Convention on the Rights of Persons with Disabilities was signed by the Netherlands on 30 March 2007. The following year, in 2008, the state secretary for Health, Welfare and Sports reported that an analysis on the consequences of the Convention ‘on the position of deaf people and the possibilities for the use of sign language’ needed to be made.³⁷

According to the general rule on treaty interpretation, as codified in Article 31 of the Vienna Convention on the Law of Treaties, ‘[a] treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose.’³⁸ We thus need to focus firstly on the text of the treaty itself. The most relevant parts of the Disabilities Convention are the following:

Article 21 – Freedom of expression and opinion, and access to information

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice [...] including by [...] recognizing and promoting the use of sign languages.

Article 24 – Education

[...] States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including [...] facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community.

Article 30 – Participation in cultural life, recreation, leisure and sport

[...] Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.

Article 32 of the Vienna Convention on the Law of Treaties adds that, when the meaning of the text is ‘ambiguous or obscure’, ‘recourse may be had to supplementary means of interpretation, including the preparatory work of the treaty and the circumstances of its conclusion’. It is to the preparatory work that we will turn to now.

In 2001, the General Assembly of the United Nations established the *Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities*,³⁹

³⁷ *Kamerstukken II 2007/2008*, 31 200, nr. 178, at 3.

³⁸ 1969 Vienna Convention on the Law of Treaties, 1155 UNTS 331 (‘VCLT’).

³⁹ UNGA Resolution 56/168, 19 December 2001, Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities.

which met eight times between 2002 and 2006.⁴⁰ It was there that the text of the Convention was made. Representatives from a select group of non-governmental organizations and national human rights institutions were also allowed to make statements at the Committee meetings. As will be demonstrated below, some were highly influential, the World Federation of the Deaf (WFD) in particular.

To assist the Committee in its work, a compilation of proposals for a *Comprehensive and Integral International Convention to Promote and Protect the Rights and Dignity of Persons with Disabilities* was prepared, which contained a collection of ideas put forward at various seminars and gatherings prior to the Committee's meetings. The most influential were the Bangkok recommendations.⁴¹ At the Bangkok meeting, it was suggested that the new Convention should refer to 'the linguistic rights of persons with disabilities'.⁴²

Soon after the Committee's second session, a text of *Proposed Elements of a Comprehensive and Integral International Convention to Promote and Protect the Rights of Persons with Disabilities* (Bangkok draft)⁴³ was adopted at another regional workshop in Bangkok. Article 2 of this draft contained a list of definitions. 'Sign language' was explicitly mentioned as a form of 'communication'. And 'language' was defined as including 'oral-aural language and sign language'. Article 19 dealt with 'equality in the linguistic field'. The most relevant part reads as follows: 'States Parties [...] shall in particular take all necessary legal, political, administrative or other measures [...] to ensure that sign language is recognized as one of the languages of the country.'

Article 30 of the Bangkok draft proclaimed a 'right to take part in cultural life', which required, *inter alia*, that 'persons who are deaf shall be entitled to recognition and support of their specific cultural and linguistic identity'.⁴⁴ A few months earlier, the International Disability Alliance⁴⁵ already stressed the importance of

⁴⁰ First Session, 29 July to 9 August 2002; Second Session, 16 to 27 June 2003; Third Session, 24 May to 4 June 2004; Fourth Session, 23 August to 3 September 2004; Fifth Session, 24 January to 4 February 2005; Sixth Session, 1–12 August 2005; Seventh Session, 16 January to 3 February 2006; and Eighth Session, 14–25 August and 5 December 2006. For all documents, see <http://www.un.org/esa/socdev/enable/rights/adhoccom.htm>, accessed 20 December 2017.

⁴¹ Bangkok recommendations on the elaboration of a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, Outcome of an expert group meeting and seminar held in Bangkok at the headquarters of the Economic and Social Commission for Asia and the Pacific from 2 to 4 June 2003, A/AC.265/2003/CRP/10.

⁴² *Ibid.*, para 29.

⁴³ Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities, Bangkok Draft: Proposed Elements of a Comprehensive and Integral International Convention to Promote and Protect the Rights of Persons with Disabilities, 17 October 2003, <http://www.un.org/esa/socdev/enable/rights/bangkokdraft.htm>, accessed 20 December 2017.

⁴⁴ *Ibid.*, Article 30.

⁴⁵ Member organizations of this Alliance are Disabled Peoples' International, Inclusion International, Rehabilitation International, World Blind Union, World Federation of the Deaf, World Federation of the Deaf-Blind, and the World Network of Users and Survivors of Psychiatry.

recognizing sign language as part of a particular culture, when noting that ‘disabled people’s right to culture is often violated by being foreclosed from cultural life [and that] elements of the culture of disabled people, such as sign language and Braille are not recognized and valued’.

After the second session of the Committee, a *Working Group on Convention* was established, which convened only once: from 5 to 16 January 2004. The Chair of the Committee prepared a document with *Draft Elements of a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities* to assist the Working Group in drafting a text of the Convention-to-be. This is the most relevant provision for the present discussion (excerpt only):

Article 27: Right to take part in cultural life, recreation and leisure

Persons who are deaf shall be entitled to recognition and support of their specific cultural and linguistic identity.⁴⁶

Let us now look at the most interesting discussions in the Working Group for present purposes.

The Chair’s *Draft Elements* referred, in Article 15, to ‘officially recognized’ modes of communication. That raised some questions in the Working Group. The representative of Japan noted that the Bangkok draft clearly stated that sign language should be recognized as one of the official languages. It thus proposed that the Working Group should be clear about whether states ought to see sign language as official language, or whether they were only required to simply recognize it as one alternative mode of communication.⁴⁷ Similarly, the representative of Ireland wondered what the meaning was of the phrase ‘officially recognized’ modes of communication in Article 15. More specifically, Ireland wondered whether this entailed an obligation to officially recognize sign language as a new language, or whether it should only be included in a list of means of communication methods. ‘In Europe and other countries’, the Irish representative added, ‘the question of official recognition of languages contains a number of sensitive political issues’.⁴⁸ To reassure the Irish delegate, the representative of the World Federation of the Deaf explained that it was not calling for official recognition of sign language as a language, but only for the right to freedom of expression, ‘which cannot exist when

⁴⁶ Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities, Chair’s Draft Elements of a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities, December 2003, <http://www.un.org/esa/socdev/enable/rights/wgcontrib-chair1.htm#27>, accessed 20 December 2017, Article 27. See also Articles 2, 15 and 24.

⁴⁷ Landmine Survivors Network (2004) Daily summary of working group discussions related to the draft article on freedom of expression and opinion, and access to information, 8 January 2004, <http://www.un.org/esa/socdev/enable/rights/wgsuma13.htm>, accessed 21 December 2017.

⁴⁸ Ibid.

one's mother tongue cannot be used'.⁴⁹ At the same time, in its written comments, the WFD seemed to be asking for much more:

Sign languages have been defined from a linguistic viewpoint as languages, and those using sign languages have been defined as a linguistic minority. Deaf people are also persons with a disability in the sense that all their rights will be fulfilled only when their linguistic rights are met, and sign language and its use in all spheres of human life is recognized and respected.⁵⁰

In the end, the relevant Article, as drafted by the Working Group, did not follow this approach. Draft Article 13 (Article 15 of the Chair's draft) in the end reads as follows:

States Parties shall take appropriate measures to ensure that persons with disabilities can exercise their right to freedom of expression and opinion through Braille, sign language, and other modes of communication of their choice, and to seek, receive and impart information, on an equal footing with others.⁵¹

A footnote (footnote 40) to this Article was added, acknowledging that 'some members of the Working Group consider that this draft Article should include a reference to sign language as the natural language of deaf people in their access to information, communication, services, participation and education'.⁵² This was not made explicit. But from the way the provision was drafted now, it could be interpreted as making a distinction between languages—including sign language—and other modes of communication, not being languages.

Commenting on the footnote, the Ontario Human Rights Commission objected, as it implied, in the Commission's view, that sign language was the 'natural language of all deaf people', and that 'this would be an over generalization and would not recognize the diversity that exists among deaf individuals'. Indeed, 'there are many deaf individuals, for example, who primarily use oral-aural communication methods and augmentative devices and do not necessarily know sign language or identify with Deaf culture'.⁵³

⁴⁹ Ibid.

⁵⁰ World Federation of the Deaf (2004) Comments on the draft text: Draft Article 3: Definitions, <http://www.un.org/esa/socdev/enable/rights/wgdca3#wfd.htm>, accessed 20 December 2017.

⁵¹ Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, Report of the Working Group to the Ad Hoc Committee, Annex I: Draft articles for a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, A/AC.265/2004/WG.1, 27 January 2004, Article 13.

⁵² Ibid.

⁵³ Ontario Human Rights Commission (2004) Comments on the draft text: Draft Article 13: Freedom of expression and opinion, and access to information, <http://www.un.org/esa/socdev/enable/rights/wgdca13.htm#ohrc>, accessed 20 December 2017.

The WFD advocated the opposite view. They held that ‘official recognition of sign language should be clearly stated within the article itself’.⁵⁴ They suggested adding the following paragraph:

For Deaf people, a linguistic minority, freedom of expression and opinion, and equal access to information presupposes recognition of national sign language(s) as their first language; and securing the natural language development of Deaf children in sign language.⁵⁵

The Working Groups discussions on what was to become Draft Article 24, on participation in cultural life (Article 27 of the Chair’s Draft), also brought up the issue of the status of sign language. In the end, not much changed when compared with the Chair’s Draft. It now read as follows: ‘Persons who are deaf shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity.’⁵⁶

In support of this provision, the WFD reiterated that, in its view, sign language was a language and that it should properly be considered a minority language.⁵⁷ The Landmine Survivors Network also supported the provision:

Draft Article 24(3) addresses a distinctly separate right under international law – the right of minorities, in this case deaf persons, to enjoy their own culture and linguistic identity, and in particular the right to use their own language. The right to use one’s own language entails the freedom to speak one’s own language without interference, a right that has been frequently violated in respect of the deaf community in many countries.⁵⁸

Predictably, the Ontario Human Rights Commission was more cautious. In its view, the provision cited above should be ‘specifically directed to persons who are Deaf and who identify themselves with the Deaf culture/community and use sign language as their preferred mode of communication’.⁵⁹

After the Working Group concluded its work, the discussion was again picked up by the Committee. The discussion on the status of ‘sign language’ was mostly

⁵⁴ World Federation of the Deaf (2004) Comments on the draft text: Draft Article 13: Freedom of expression and opinion, and access to information, <http://www.un.org/esa/socdev/enable/rights/wgdca13.htm#wfd>, accessed 20 December 2017.

⁵⁵ Ibid.

⁵⁶ Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, Working Group, Report of the Working Group to the Ad Hoc Committee, Annex I, 2004, Article 24. The Working Group added a footnote, footnote 109, stating that ‘The Ad Hoc Committee may wish to consider whether this provision would be more appropriately placed under another draft article’.

⁵⁷ Landmine Survivors Network (2004) Daily Summary related to Draft Article 24: Participation in cultural life, recreation, leisure and sport, 13 January 2004, <http://www.un.org/esa/socdev/enable/rights/wgsuma24.htm>, accessed 21 December 2017.

⁵⁸ Landmine Survivors Network (2004) Comments on the draft text: Draft Article 24: Participation in cultural life, recreation, leisure and sport, <http://www.un.org/esa/socdev/enable/rights/wgdca24.htm#lsn>, accessed 21 December 2017.

⁵⁹ Ontario Human Rights Commission (2004) Comments on the draft text: Draft Article 24: Participation in cultural life, recreation, leisure and sport, <http://www.un.org/esa/socdev/enable/rights/wgdca24.htm#ohrc>, accessed 21 December 2017.

related to the drafting of the provision on the general definitions—including the definition of ‘language’, the provision on the right to education, the right to freedom of expression, and the right to cultural life.

On 27 May 2004, the provision on the freedom of expression (Article 13) was discussed. The WFD consulted linguists at many universities around the world about the definition of language and proposed the following definition: ‘The systematic use of sounds, signs, or written symbols to represent things, actions, ideas, and states, shared and understood by members of a linguistic community.’⁶⁰

It also proposed that the language of footnote 40 should be included in the Article. In view of the WFD, the Deaf community is a linguistic minority whose freedom of expression and equal access to information requires the recognition of sign language as its first language. While linguists and social psychologists view the Deaf community as a linguistic minority, society at large does not recognize this. The representative of Uganda proposed the addition of a new paragraph, 13(h), which called on states to ‘develop[] a national sign language’, as many countries did not have one.⁶¹

The discussion was resumed on 26 August 2004. Thailand supported Uganda’s proposal but suggested changing it to ‘recognize and/or develop’, because in many states sign languages did in fact already exist but were not recognized as a language. Many states supported the idea that sign language should be recognized as a language and not as a mode of communication. These states included Norway, New Zealand, Thailand, Uganda, Costa Rica, Chile, Brazil, South Africa, Honduras, and Trinidad and Tobago. Early in the next year (31 January 2005), the EU was also convinced. The EU affirmed that, in some countries, sign language was considered more than just another ‘mode’ of communication. At the same time, it did oppose the Ugandan proposal. Its opposition was supported by Yemen, the United Arab Emirates, China, and Colombia.⁶² The WFD used very strong language in support of the Ugandan proposal. On 3 February 2005, its representative said that it is important to recognize each nation’s sign language, or else we will ‘risk the danger of linguistic colonialization’.⁶³ Summarizing this heated debate in the report was quite a challenge. It was done as follows:

There was no general agreement on whether it was desirable to retain the ideas in subparagraph (h) of the compilation text, but it was decided that the subparagraph should be maintained until it had been considered more fully at a future meeting.

⁶⁰ Landmine Survivors Network (2004) Daily summary of discussions related to Article 13: Freedom of Expression and Opinion, and Access to Information, 27 May 2004, <http://www.un.org/esa/socdev/enable/rights/ahc3sum13.htm>, accessed 21 December 2017.

⁶¹ Ibid.

⁶² Rehabilitation International (2005) Daily summary of discussion at the fifth session, 1 February 2005, <http://www.un.org/esa/socdev/enable/rights/ahc5sum1feb.htm>, accessed 21 December 2017.

⁶³ Rehabilitation International (2005) Daily summary of discussion at the fifth session, 3 February 2005, <http://www.un.org/esa/socdev/enable/rights/ahc5sum3feb.htm>, accessed 21 December 2017.

Subparagraph (h), on which further discussions are required, reads, '(h) [Developing/recognizing/promoting] a national sign language.'⁶⁴

On 20 January 2006, the EU once again expressed its objections to the Ugandan proposal. First, the EU did not believe that it was the responsibility of the state to 'develop' a sign language. Second, the EU was unhappy with the reference to 'national sign language', as it suggested each state should have its own sign language. It proposed that the provision be amended to read 'recognizing and promoting the use of sign language'. The delegate of Yemen insisted that sign language was not actually a language. Yemen also supported the EU's suggestion to delete 'national' in reference to 'sign language'.⁶⁵

Let us now look at Article 24, first discussed on 2 June 2004. The EU suggested the deletion of the paragraph stating that 'persons who are deaf shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity', because it 'singles out a particular disability group'.⁶⁶ Of course, the World Federation of the Deaf strongly protested and was supported by New Zealand, among others. The WFD noted the importance of this Article for the Deaf people, for whom 'language is a basic to identity development'. It explained as follows:

Culture for the Deaf community is based in vision. The right of language, identity, and culture does not mean segregation from society because sign language spans other cultures. If these cultural and linguistic rights of the Deaf community are not recognized, it will be unable to develop to its full creative, artistic, and intellectual potential.⁶⁷

The Facilitator's draft, proposed 12 August 2005, of Article 24 was very progressive. It read as follows:

Persons with disabilities belonging to ethnic, religious or linguistic minorities or indigenous groups shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including deaf cultures and sign languages.⁶⁸

⁶⁴ UNGA, Report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities on its fifth session, A/AC.265/2005/2, 23 February 2005, paras 87–88.

⁶⁵ Rehabilitation International (2006) Daily summary of discussion at the seventh session, 20 January 2006, <http://www.un.org/esa/socdev/enable/rights/ahc7sum20jan.htm>, accessed 21 December 2017.

⁶⁶ Landmine Survivors Network (2004) Daily summary of discussions related to Article 24: Participation in cultural life, recreation, leisure and sport, 2 June 2004, <http://www.un.org/esa/socdev/enable/rights/ahc3sum24.htm>, accessed 21 December 2017.

⁶⁷ Ibid.

⁶⁸ Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, Sixth Session, Text of the Facilitator: Article 5: Promotion of positive attitude to persons with disabilities (Revised draft prepared by the Facilitator), 8 August 2005, <http://www.un.org/esa/socdev/enable/rights/ahc6facilitator.htm>, accessed 21 December 2017.

But in the report of a few days later, we read that there was serious difference of opinion. The report states that ‘there was no agreement on this paragraph, with some delegations proposing to delete it, and others proposing to retain it’. And thus, a ‘compromise formula was proposed that gained support from those who supported retention of the paragraph’. That proposal reads, ‘Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.’⁶⁹

On 24 January 2006, the delegate of Yemen objected to the reference to ‘deaf culture’, as he was ‘convinced that deaf people do not have their own culture but rather express the culture of their society through sign language’.⁷⁰ On 26 January, China also suggested deleting the references to deaf culture. On 27 January 2006, a lengthy discussion took place on the issue. The delegate of New Zealand held that it was

[...] vitally important to retain [the paragraph] in recognition of cultural and linguistic independence, in particular the reference to sign language and deaf culture. People who use sign language form a unique linguist minority. People who use sign language, or any language that is different than the national language of their country, struggle to maintain cultural and linguistic identity.⁷¹

In response, the representative of Yemen once again questioned whether there really exists ‘a deaf culture that is only particular to the deaf and is different from their social and national identity.’ His argumentation is worth quoting in full:

[He] noted that ‘Culture in its well-known concept is a form of daily life practices within the framework of society.’ Clothing, for example, is part of both personal and national identity. Yemen asked ‘Are we saying that the deaf should wear different clothes?’ If there is an actual ‘deaf culture,’ this implies a society within society. Based on this, either the reference to ‘deaf culture’ should be deleted or the idea of national culture should be incorporated into that concept. Yemen reiterated that no particular identity is created as a result of a disability and that a disability does not entitle anyone to their own culture.⁷²

The Chair asked the President of the World Federation for the Deaf to explain what ‘deaf culture’ entails exactly. The reply was,

Deaf culture is defined in different ways. One definition suggests that deaf culture is based on the use of vision, which is used by deaf persons far more than by hearing persons and is the basis for using sign language. There are particular patterns of behavior, including eye

⁶⁹ UNGA, Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, A/60/266, 17 August 2005, paras 141–142.

⁷⁰ Rehabilitation International (2006) Daily summary of discussion at the seventh session, 24 January 2006, <http://www.un.org/esa/socdev/enable/rights/ahc7sum24jan.htm>, accessed 21 December 2017.

⁷¹ Rehabilitation International (2006) Daily summary of discussion at the seventh session, 27 January 2006, <http://www.un.org/esa/socdev/enable/rights/ahc7sum27jan.htm>, accessed 21 December 2017.

⁷² Ibid.

contact and other traits, behaviors, gestures and customs that comprise a deaf culture. Cultural elements are passed on from generation to generation via sign language. According to another definition, deaf culture has five components: language, values, traditions, norms and identity. Deaf people also have their own history which is different from that of mainstream society of a particular country. It is said that a deaf person living in a particular country learns the culture of that country through their own experience and communications. Another important issue in deaf culture is art. It is very significant for deaf people to have sign language theater, sign language art, sign language literature, sign language singing, sign language poetry, etc. These are part of cultural expression for the deaf community.⁷³

The WFD insisted that it was ‘crucially important that linguistic and cultural identity of the deaf be recognized’. The All Russian Society of the Deaf supported the comments of the WFD. It added that

[...] Deaf people identify themselves as members of society and have their own lifestyle as a sub-group in society, for which sign language is a key to their culture. Sign languages have an emotional shading; deaf people express their view of the world through art and creation. Through sign languages they can study texts of poems, songs, etc. In Russia, there is a tremendous theater for mime and sign language users, literature has been developed by deaf authors, expressing the unique culture they belong to. There are also many magazines and newspapers serving deaf people, and a number of sporting organizations where only deaf people are involved.⁷⁴

Article 3, with the definition of ‘communication’ and ‘language’, was discussed on 23 August 2004. Commenting on the article, the representative of Japan insisted that sign language ought to be considered a language, and that it was important to consider what type of legal obligation this recognition would entail. The WFD and European Disability Forum (EDF) also called for the recognition of sign language as a language. When the provision was again discussed on 31 January 2006, the representative of Japan said it was satisfied with the definition of ‘language’ in Article 3, but was not sure what obligations were required of states by defining sign language as a language. A Representative from the International Disability Caucus (IDC) gave a somewhat surprising reassurance to Japan. He noted that the provision on language did not imply that governments should recognize sign language as an official language. More generally, there were ‘no references to official recognition of signed languages’ in the Convention, said the representative.⁷⁵

When the Committee ended its deliberations, a small drafting group finalized the text of the Convention. It made some significant changes, in line with the discussions above. In Article 21, the phrase that States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise their right to freedom of expression and opinion ‘through sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Rehabilitation International (2006) Daily summary of discussion at the seventh session, 31 January 2006, <http://www.un.org/esa/socdev/enable/rights/ahc7sum31jan.htm>, accessed 21 December 2017.

communication' was replaced with 'all forms of communication'.⁷⁶ And in the phrase 'recognizing and promoting the use of sign language', an 's' was added at the end, because '[t]here are over 120 sign languages, therefore plural.'⁷⁷ In Article 24(3), in the phrase 'facilitating the learning of sign language and the promotion of the linguistic identity of the Deaf community', the word 'deaf' was first written with a capital letter, but the drafting group later changed its mind, and in its third revised text of 10 October 2006, the drafting group again used small letters.

And so, in the final report of the Ad Hoc Committee, dated 6 December 2006, the relevant provisions are formulated more or less in the way they ended up in the Convention (see citations above).⁷⁸

13.6 Recognition of Dutch Sign Language Following Ratification of the Convention

The Netherlands ratified the Convention about nine years after its signature. However, in the explanatory memorandum⁷⁹ of the act⁸⁰ which approved the Convention, we see only little about the discussions held there. In reference to Article 21e of the Convention, the Dutch government stated that it had undertaken various measures to promote the use of Dutch Sign Language, hereby the government refers to the subsidies for the development of Dutch Sign Language, to sign language courses, to sign language interpreters, and to the development of bilingual education.⁸¹ Nevertheless, there is no reference to the phrase 'recognize' as in Article 21e of the Convention. The same can be said for its comments in the memorandum on Article 30(4) of the Convention.⁸² Accordingly, the bill, *Wet erkenning Nederlandse Gebarentaal* (Law on the recognition of Dutch Sign Language) was submitted in October 2016 by Members of Parliament.

For a great part this bill is a direct copy of an earlier bill enacted on the Frisian Language.⁸³ In 2014, the *Wet Gebruik Friese Taal* (Law on the use of the Frisian

⁷⁶ Draft Convention on the Rights of Persons with Disabilities and Draft Optional Protocol, third revised text of 10 October 2006.

⁷⁷ *Ibid.*, footnote 27.

⁷⁸ UNGA, Final report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, and Annex, Draft resolution on a Convention on the Rights of Persons with Disabilities, A/61/611, 6 December 2006.

⁷⁹ Rijkswet houdende goedkeuring van het op 13 december 2006 te New York tot stand gekomen Verdrag inzake de rechten van personen met een handicap, Trb. 2007, 169 en Trb. 2014, 113.

⁸⁰ *Kamerstukken II* 2013/14, 33 992 (R2034), nr. 3 (MvT II).

⁸¹ *Ibid.*, at 68.

⁸² *Ibid.*, at 92.

⁸³ *Ibid.*, at 7.

Language) came into force.⁸⁴ This Act of Parliament had formalized the recognition of the Frisian language in the Netherlands as an official language. Interestingly, the government referred to its international obligations under the Framework Convention for the Protection of National Minorities⁸⁵ and European Charter for Regional and Minority Languages⁸⁶ to introduce a separate act on the Frisian language.

On the political level, it is interesting to note that the two political parties that introduced the bill, PvdA (Labour Party) and CU (Christian Union), have both included the recognition of Dutch Sign Language in their parliamentary manifestos for the general elections in March 2017.⁸⁷ The Christian Union even called for the constitutional recognition of Dutch, Frisian, and Dutch Sign Language. Another political party in the House of Representatives, GroenLinks (Greens) has already supported the idea of recognition of Dutch Sign Language before and has supported the bill.⁸⁸ As far as we know, no other political party has yet publicly opposed the formal recognition of Dutch Sign Language. Despite this apparent agreement, the bill might not be adopted any time soon. There is some criticism about the bill from within the Deaf community—some people prefer that the focus is on resolving practical issues, such as being provided with a sign language interpreter, and that the debate on the formal recognition of Dutch Sign Language only detracts attention from resolving such practical issues. It could also be that the bill is not considered politically opportune at the moment, and for these reasons it could be frozen or possibly even withdrawn. The recognition of Dutch Sign Language will continue to be an unsettled issue, and it is unlikely that the supporters of recognition will ever accept that Dutch Sign Language is not formally recognized.

In the Netherlands, Deaf and hard of hearing persons still face day to day challenges because of their disability. For example, questions on the availability of sign language interpreters and to what extent the government subsidizes these interpreters would not be solved by formally recognizing sign language. In the Netherlands, there is no legal framework by which the recognition of a language would directly impact the education system or the social security system. By recognizing sign language, the drafters of the bill intended to strengthen the position of Deaf people in Dutch society,⁸⁹ but that might be a misconception. On the other hand, the recognition of a minority language, such as Dutch Sign Language, has a

⁸⁴ Wet van 2 oktober 2013, houdende regels met betrekking tot het gebruik van de Friese taal in het bestuurlijk verkeer en in het rechtsverkeer (Wet gebruik Friese taal), Stb. 2013, 515.

⁸⁵ 1995 Framework Convention for the Protection of National Minorities, ETS 157.

⁸⁶ *Kamerstukken II* 2011/2012, 33 335, nr. 3 (MvT II), at 2.

⁸⁷ PvdA (2017) Een verbonden samenleving: Verkiezingsprogramma 2017, <https://www.pvda.nl/wp-content/uploads/2017/02/PvdAVerkiezingsprogramma2017EenVerbondenSamenleving.pdf>, accessed 21 December 2017, at 50; Christenunie (2016) Hoopvol realistisch, Voorstellen voor samenleving met een toekomst: Verkiezingsprogramma 2017–2021, 26 November 2016, <https://www.christenunie.nl/library/download/1047759>, accessed 21 December 2017, at 12.

⁸⁸ *Kamerstukken II* 2003/2004, 28 600 XVI, nr. 85.

⁸⁹ *Kamerstukken II* 2016/2017, 34 562, nr. 2, at 2.

great cultural value; it is a matter of identity. It is the cultural aspect of recognition of sign language that is easily overlooked by policy makers in the Netherlands.

13.7 The Future Ahead

In the light of the ratification of the Disabilities Convention, the Dutch government's position as stated in 2004—that the possibilities for legal recognition were limited and that legal recognition did not need to be formalized per se—needs to be reconsidered.⁹⁰ The government could possibly argue that the Netherlands has *de facto* or implicitly recognized Dutch Sign Language. On the other hand, already in 1997, the Commission Dutch Sign Language concluded that the formalization of the recognition of Dutch Sign Language would be necessary for the 'signal value' and would be a 'starting point' for further legislation on Dutch Sign Language.⁹¹

The recognition of Dutch Sign Language in the Constitution of the Netherlands, as proposed by the Christian Union, seems to be problematic. It would necessarily re-open the debate on the formal recognition of the Dutch language in the Constitution: in 2010, the Advisory Division of the Council of State, the most important advisor to the government on legislation, was very critical on a constitutional amendment to recognize Dutch as the official language of the Netherlands.⁹²

An Act of Parliament would be a strong signal that the Netherlands respects the Convention. To the Deaf Community and other users of sign language, it would be of great symbolic nature, as many would consider sign language as their native language. It would also be a historic moment for the Deaf Community in the Netherlands, as the use of sign language was oppressed for over a century. Many other states, especially in Europe, have officially recognized their national sign languages, so for the supporters of recognition, it would be more than logical that the Netherlands would follow suit.

For the Dutch legislators, there might be more options to consider. Dutch Sign Language can be recognized as a minority language under the European Charter for Regional and Minority Languages. Dutch Sign Language can be conferred the same status as, for example, Yiddish and the languages of the Sinti and Roma. Dutch Sign Language can be recognized on a cultural level, as a language that is part of the history of the Netherlands. However, no other European states have recognized their national sign language(s) under the European Charter.

In 1997, the Dutch Sign Language Commission concluded that the legal implementation of the recognition of Dutch Sign Language would be complicated on the administrative and technical level. The legislation on Dutch Sign Language

⁹⁰ *Kamerstukken II 2007/2008*, 31 200, nr. 178, at 3.

⁹¹ Baker et al. 1997, at 84–85.

⁹² *Kamerstukken II 2010/2011*, 32 522, nr. 4.

falls under the responsibilities of different Ministries. The complexity to implement the recognition of Dutch Sign Language might not have changed after 20 years. Most probably more research would need to be conducted by experts, foremost by legal experts, before an Act of Parliament on Dutch Sign Language could be adopted. However, it should be noted that the recognition of Dutch Sign Language is more than a legal technicality; it is a symbolic act as has become clear from the negotiations on the drafting of the Convention.

According to Maartje De Meulder, ‘the inclusion of Deaf people in the (Convention) provides opportunities for potential benefit, it also obscures some crucial differences between Deaf people and persons with disabilities’.⁹³ The Convention has moved away from a medical perspective on disability to a social perspective on disability, but a cultural perspective will be needed as well. Deaf people wish to be recognized as a linguistic or cultural minority, not as disabled persons per se. The recognition of Dutch Sign Language would also imply recognition of the Deaf culture in the Netherlands (with capital D) as a minority culture. Therefore, the national association of the Deaf in the Netherlands, the *Dovenschap*, will continue to take initiatives to have the government officially recognize Dutch Sign Language. On 30 June 2017, the National Association for the Deaf started an online petition that will be presented to the House of Representatives in early 2018.⁹⁴ The petition refers to the initiatives to recognize Dutch Sign Languages since 1997 and the fact that the Netherlands did recognize Frisian, Limburgish, Lower Saxon, Yiddish, Sinti, and Roma, but did not recognize Dutch Sign Language as a minority language.

As we have seen above, the bill that was introduced in 2016 was not the first initiative on the recognition of Dutch Sign Language. However, the adoption and ratification of the Convention on the Rights of Persons with Disabilities might change course. The Convention adds a fundamental argument to the supporters of the recognition of Dutch Sign Language.

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⁹³ De Meulder 2014, at 12.

⁹⁴ For the petition, see Petities.nl, Tijd voor erkenning van de Nederlandse Gebarentaal, <https://petities.nl/petitions/tijd-voor-erkenning-van-de-nederlandse-gebarentaal?locale=nl>, accessed 21 December 2017.

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