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**COMMITTEE OF EXPERTS ON ISSUES RELATING
TO THE PROTECTION OF NATIONAL MINORITIES**

(DH-MIN)

**Activities of the Council of Europe
of relevance to the work of the DH-MIN**

**Secretariat memorandum
prepared by
the Directorate of Human Rights**

I. Introduction

1. This document provides a concise overview of various Council of Europe activities which are relevant to the work of the DH-MIN. More detailed information is provided in separate documents which shall be made available to the members of the Committee.
2. The purpose of this document is to assist the Committee in defining its role and functions in the light of its terms of reference, and in determining what issues it wishes to take up and what working methods it should adopt. Naturally, such choices will have to be made with due regard to relevant existing activities. It is with this in mind that this memorandum has been prepared. The document ends with some concluding observations on the possible role of the DH-MIN.

II. Past standard-setting work in the field of the protection of national minorities

3. In 1989-1992, following an initiative of the Standing Conference of Local and Regional Authorities of Europe (CLRAE), intergovernmental work was carried out on the question of regional or minority languages. This activity led to the adoption of the European Charter for Regional or Minority Languages (CRML) by the Committee of Ministers on 25 June 1992. The Charter was opened for signature on 5 November 1992. To date, it has been ratified by 7 member States. It entered into force on 1 March 1998.

4. In 1992-1993, a Committee of Experts for the Protection of National Minorities (DH-MIN) which was set up under the authority of the Steering Committee for Human Rights (CDDH) has examined the possibility of formulating specific legal standards relating to the protection of national minorities. In September 1993, a number of alternative proposals were formulated as regards the nature of a possible instrument in this field.

5. Following the Vienna Summit of Heads of State and Government of Council of Europe member States (October 1993), the Committee of Ministers created an Ad Hoc Committee of Experts for the protection of national minorities (CAHMIN) and instructed it to draw up a framework Convention in this field, as well as to begin work on drafting a protocol to the European Convention on Human Rights (ECHR) containing individual rights in the cultural field, in particular for persons belonging to national minorities.

6. The text of the Framework Convention for the Protection of National Minorities (FCNM) was adopted by the Committee of Ministers on 10 November 1994 and opened for signature on 1 February 1995. In 1996-1997, an Ad Hoc Committee of Experts on the Implementation Mechanism of the Framework Convention (CAHMEC) has elaborated draft rules on the monitoring arrangements under Articles 24-26 of the FCNM. This work resulted in the adoption, on 17 September 1997, of the Committee of Ministers Resolution (97) 10. The FCNM has entered into force on 1 February 1998, to date it has been ratified by 19 member States.

7. As regards work on an additional protocol to the ECHR, the CAHMIN submitted an activity report to the Committee Ministers in November 1995. In January 1996, the Committee of Ministers decided to suspend this activity and to continue reflection on the feasibility of further standard-setting in the cultural field and in the field of the protection of national minorities. So far this reflection has not borne fruit.

III. Monitoring activities under legal instruments

A. Framework Convention for the Protection of National Minorities

8. On 10 November 1994, the Committee of Ministers of the Council of Europe adopted the Framework Convention for the Protection of National Minorities. Opened for signature in February 1995, the Framework Convention has been signed so far by 36 of the 40 member States and by one non-member State². It entered into force on 1 February 1998.

² Signatories: Albania, Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland,

9. Although not the first instrument to be developed within the Council of Europe relevant to the protection of national minorities, the Framework Convention for the Protection of National Minorities is certainly the most comprehensive document in this area. Indeed, it is the first ever legally binding multilateral instrument devoted to the protection of national minorities in general.

10. The Framework Convention sets out principles to be respected as well as goals to be achieved by the Contracting Parties, in order to ensure the protection of persons belonging to national minorities, whilst fully respecting the principles of territorial integrity and political independence of States.

11. The principles contained in the Framework Convention will have to be implemented through national legislation and appropriate governmental policies. It is also envisaged that these provisions can be implemented through bilateral and multilateral treaties.

12. The main operative part of the Framework Convention is section II, containing specific principles on a wide range of issues, inter alia :

- non-discrimination;
- promotion of effective equality;
- promotion of the conditions regarding the preservation and development of the culture and preservation of religion, language and traditions;
- freedoms of assembly, association, expression, thought, conscience and religion;
- access to and use of media;
- linguistic freedoms:
 - use of the minority language in private and in public as well as its use before administrative authorities;
 - use of one's own name;
 - display of information of a private nature;
 - topographical names in the minority language;
- education:
 - learning of and instruction in the minority language;
 - freedom to set up educational institutions;
- transfrontier contacts;
- international and transfrontier cooperation;
- participation in economic, cultural and social life;
- participation in public life;

Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Ukraine and the United Kingdom. Armenia has signed as a non-member State.

19 Ratifications: Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Italy, Liechtenstein, Malta, Moldova, Romania, San Marino, Slovakia, Spain, "the former Yugoslav Republic of Macedonia", Ukraine and United Kingdom.

- prohibition of forced assimilation.

The Monitoring of the Framework Convention

13. The rules which apply to the monitoring of the Framework Convention are to be found in Articles 24-26 of the Framework Convention and in Resolution (97)10 of the Committee of Ministers of the Council of Europe.

14. The Framework Convention establishes a system of monitoring based on reports from the Contracting Parties. These reports will first be examined by an Advisory Committee of independent experts. The Advisory Committee is to prepare an opinion which it will send to the Committee of Ministers of the Council of Europe. This political body will adopt final decisions (called conclusions) and, where appropriate recommendations.

15. The Advisory Committee will be composed of a minimum of twelve and a maximum of 18 ordinary members. The candidates have to meet the qualifications and capacity of membership:

- to have recognised expertise in the field of protection of national minorities;
- shall serve in their individual capacity, shall be independent and impartial, and shall be available to serve the committee effectively.

16. The Framework Convention distinguishes two kinds of reports: periodic reports and ad hoc reports which can be requested from a Contracting Party by the Committee of Ministers whenever it so decides. The reports will have to contain "full information on the legislative and other measures taken to give effect to the principles set out in this framework Convention". The reports will therefore have to include information on the actual practice of implementation as well as on relevant legislation and policy. The State reports will be made public by the Council of Europe upon receipt from the Contracting Party.

17. The duty of the Advisory Committee is to examine the State reports and prepare an opinion on the measures taken by the Contracting Party. In order to do so, a number of working methods are put at its disposal:

- it may request additional information from a Contracting Party;
- it may receive information from other sources (including individuals, NGOs etc: however, it should be borne in mind that the Advisory Committee does not deal with individual complaints);-it may invite information from other sources, after it has notified the Committee of Ministers of its intention to do so;
- it may hold meetings with governments and has to do so if the government concerned so requests;
- it may hold meetings with others than the governments concerned, after having obtained a specific mandate from the Committee of Ministers to do so.

18. The opinion of the Advisory Committee shall as a rule be made public together with the conclusions of the Committee of Ministers.

19. Having received the opinion of the Advisory Committee the Committee of Ministers shall take the final decisions (called conclusions) concerning the adequacy of the measures taken by the Contracting Party. Where appropriate, it may also adopt recommendations to the Contracting Party.

20. The conclusions and recommendations of the Committee of Ministers shall be made public upon their adoption, together with any comments the Contracting Party may have submitted in respect of the opinion delivered by the Advisory Committee.

21. The Advisory Committee may be involved by the Committee of Ministers in the monitoring of the follow-up to the conclusions and recommendations.

22. The first elections concerning the Advisory Committee will be held in Spring 1998. Once the first twelve members have been elected the Advisory Committee will meet for the first time. The first reports from Contracting Parties are due on 1 February 1999 (one year after the entry into force).

B. European Charter for Regional or Minority Languages

23. The purpose of the Charter is to protect and promote the various regional and minority languages spoken in the different countries of Europe, thereby preserving the cultural wealth of our continent. The protection of regional and minority languages must respect the territorial integrity and traditions of each state and do nothing to interfere with the development of the official language(s) of that state.

24. Part II of the Charter lays down the aims and principles for all the languages spoken on a given territory which are to be the States' long term policy targets. These aims and principles include, in particular, recognition of the regional and minority language as an attribute of a community, respect for the geographical area in which each language is spoken, the question of the written and oral usage of these languages in public, social and economic life and the teaching and study of these languages at all the appropriate stages. In addition, states are required to eliminate discrimination in respect of the use of a regional or minority language.

25. Part III of the Charter contains specific provisions for the languages listed by the states on ratification, involving the states in positive measures for the protection and promotion of regional and minority languages, in several fields: education, justice, relationships with administrative authorities, the media, cultural activity and facilities, economic and social life, transfrontier cooperation. The extent of the protection can however vary according to the situation of each language (number of speakers, importance of the geographical area where it is spoken, etc) but any Contracting State has to apply a least 35 paragraphs or sub-paragraphs of the Charter to the language that it has selected. This contributes to a minimum of protection. It should, however, be emphasised that the Charter does not establish any individual or collective rights for the speakers of regional or minority languages.

26. The Charter may be expected to help, in a measured and realistic fashion, to assuage the

problem of minorities whose language is their distinguishing feature, especially in central and eastern Europe, by enabling them to feel at ease in the state in which history has placed them. Far from reinforcing disintegrating tendencies, the enhancement of the possibility to use regional or minority languages in the various spheres of life can only encourage the groups who speak them to put behind them the resentments of the past which prevented them from accepting their place in the country in which they live and in Europe as a whole.

27. The Charter has been opened for signature in November 1992. It has been ratified so far by Croatia, Finland, Hungary, Liechtenstein, the Netherlands, Norway and Switzerland. It has also been signed by eleven other States³. It entered into force on 1 March 1998.

28. The Charter foresees a system of monitoring its application by the Contracting Parties. The system is based on the preparation of periodical reports by a committee of governmental experts. The reports could contain proposals for recommendations the Committee of Ministers could address to one or several Contracting Parties. The reports are drafted on the basis of information provided by the parties on the application of the commitments they have assumed. The Committee could also take account of information by appropriate bodies or associations established in a country after having verified the information with the Party concerned. The publication of the reports depends on a decision of the Committee of Ministers, but the Secretary General has to make two-yearly detailed reports to the Parliamentary Assembly on the application of the Charter.

IV. The European Commission against Racism and Intolerance (ECRI)

The European Commission against Racism and Intolerance (ECRI) was set up following the first Summit Meeting in Vienna of Heads of State and Government of Council of Europe member States, which took place in October 1993. At this Summit, the Heads of State and Government expressed their alarm at the rise of racism, xenophobia, anti-Semitism and intolerance across Europe, and adopted a Plan of Action to be implemented by the Council of Europe for combating these unacceptable phenomena.

ECRI's terms of reference were decided at the Vienna Summit. Its task is to examine and assess the effectiveness of the range of measures (legal, policy and other) taken by member States to combat racism, xenophobia, anti-Semitism and intolerance. It was asked to propose further action in this field at local, national and European level. It should also formulate general policy recommendations to member States and study international legal instruments applicable in this area, with a view to their reinforcement where necessary.

ECRI's members are public figures chosen for their high moral authority and recognised expertise in dealing with questions of racism and intolerance. They include parliamentarians, judges and legal experts, sociologists, psychologists and journalists. They are nominated in their personal capacity and act as independent members. The current Chair of ECRI is Mr Nikos

³ Austria, Cyprus, Denmark, Germany, Luxembourg, Malta, Romania, Slovenia, Spain, "the former Yugoslav Republic of Macedonia", Ukraine.

FRANGAKIS, President of the Hellenic League on Human Rights (Greece). The Vice-Chairs are Professor Joseph VOYAME (Switzerland) and Mr Michael HEAD (United Kingdom).

ECRI's approach reflects its multidisciplinary composition. Alongside its examination of international and national legislation it has studied policies and practice, as well as addressing a number of specific issues.

One of the main aspects of ECRI's work over the past few years has been its **country-by-country** approach. ECRI noted very early in its work that the problems of racism and intolerance across the 40 member States of the Council of Europe were not identical but took different forms requiring different action. It therefore decided that the most useful way to proceed would be firstly to examine closely the situation in each country, and secondly to prepare texts on each country containing suggestions and ideas as to how some of the problems faced by that country might be dealt with. The aim of this exercise is to assist governments by putting forward concrete, specific proposals for action.

ECRI accordingly collected information from a variety of sources. It commissioned the Swiss Institute of Comparative Law (Lausanne) to prepare a study summarising the legislation in force in each country in the field of combating racism and intolerance. It also sent a questionnaire to governments and to a number of national NGOs in each country in order to obtain a full picture of the problems faced and legal and policy measures in place. Information was also collected from international NGOs, reports of other international organisations, press and other sources. Another important input is the process of confidential dialogue which ECRI enters into with a representative of each government - a "national liaison officer" - in order to refine and complete its draft texts on each country. After this process of dialogue, ECRI finalises a report containing its proposals and transmits it, through the Committee of Ministers, to the concerned government. Two months later, the report is made public unless the government expressly objects to this.

Another important aspect of ECRI's work has been its examination of the protection afforded against discrimination in the **European Convention on Human Rights**. This instrument contains a non-discrimination clause (Article 14) which protects against discrimination as regards the rights set out in the Convention: however, ECRI is of the opinion that this protection could be strengthened and widened by means of an Additional Protocol. ECRI's reasoned report on this subject has been examined by the Council of Europe's Steering Committee for Human Rights. The latter formulated proposals for the Committee of Ministers, which will now consider the follow-up these should be given.

The third main strand of ECRI's current work covers specific issues by means of general recommendations addressed to all member States of the Council of Europe. Following on from the preparation of its **guiding principles**, setting out in detail the areas which ECRI felt form the basis of a comprehensive approach to combating racism and intolerance, ECRI prepared its **general recommendation N° 1**, which recommends action in a certain number of key areas. Its **general recommendation N° 2** deals with the question of specialised bodies existing at national level to combat racism and intolerance, such as commissions or ombudsmen, and sets out practical guidelines and advice on how such institutions might be established and arranged. Alongside these recommendations for governmental action, ECRI is also compiling and publishing a series of "information sheets" containing brief descriptions of good practices and innovative projects in the various member States to combat racism and intolerance: the first of

these publications is entitled "**Combating racism and intolerance: a basket of good practices**", and is designed to serve as a source of inspiration and ideas for all those working in the field, both at governmental and non-governmental level.

ECRI is well-aware that the success of its work will depend partly on its own strategies to raise awareness of its activities and disseminate the information it has collected. It has therefore started to concentrate resources on its relations with civil society and the public at large. It recently started to develop a co-operation programme with non-governmental organisations (NGOs) active in combating racism and intolerance. Furthermore, as one of the major problems today is how to control the spread of racist and other offensive material on the Internet, ECRI intends to use new technology for a resolutely more positive purpose: a web site "Combating racism and intolerance" was launched in October 1997 (www.ecri.coe.fr). This site, which is the starting point for the establishment of a future data base of ECRI, already functions as a centre for information and exchange, servicing all those engaged in combating racism and intolerance across Europe and beyond. In this way, ECRI hopes that its work will reach as wide an audience as possible and will have an effect on the every-day life of those suffering from racism and discrimination.

V. Co-operation and assistance

29. The protection of national minorities is also promoted through **awareness raising activities**. The Secretariat has organised information meetings on the European legal instruments directed to parliamentarians, government officials and representatives of national minorities in several new and old member States of the Council of Europe. **Legislative expertise** in several member and applicant countries on questions relating for example to laws on the state language, local democracy or education have been carried out by Council of Europe experts.

30. The **cooperation and assistance programmes for central and eastern European countries** sponsor the organisation of seminars, training courses and conferences. These activities will be broadened to cover the full geographical area of the Council of Europe and the programmes have been renamed ADACS.

31. The **Joint Programmes**, co-financed by the Council of Europe and the European Commission's Phare and Tacis programmes and implemented by the Council of Europe, also cover items related to the protection of minorities.

32. The Joint Programme between the European Commission (Phare Programme) and the Council of Europe entitled "Minorities in Central European Countries" focuses on the cooperation between Government Offices for National Minorities (or government departments which deal with minority questions) in the seventeen participating countries⁴. This programme has been included among the "accompanying measures" to the Stability Pact. The current programme was launched in September 1996 and will run until March 1998.

⁴ Albania, Belarus, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, "the Former Yugoslav Republic of Macedonia", Moldova, Poland, Romania, Slovakia, Slovenia, Russian Federation and Ukraine.

33. European legal instruments for the protection of the rights of national minorities (notably the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities), together with the human rights provisions included in the Europe (Association) Agreements with the European Union constitute the political and legal references for the implementation of the Programme.

34. The programme is structured into four main projects: regular meetings of the representatives to exchange information and to share experiences on the implementation of legal standards and on programmes for organisations of national minorities, study visits, sub-regional seminars or thematic workshops, for example on cultural or educational issues relevant to national minorities or on the implementation of European legal instruments, as well as specific follow-up measures such as pilot projects for training of professionals.

35. In the thematic seminars organised under the Joint Programme governments are invited to include representatives of national minorities in the delegations from their countries.

36. A proposal for a new Joint Programme is being considered by the European Commission.

VI. Confidence-building measures in civil society

37. It is clear that much of the work of the Council of Europe is relevant to the general objective of promoting a climate of mutual understanding, tolerance and respect for different cultures. This is true, for example, of activities in the field of education (education for democratic citizenship, intercultural education, language learning, new approaches to history teaching); culture and conservation of the cultural heritage; the mass media; migration and community relations; promoting transfrontier co-operation between local and regional authorities.

38. Although some of these activities involve a variety of partners, they remain to a considerable extent within the traditional conception of intergovernmental co-operation. The increasing prominence of minority problems, especially in central and eastern Europe, revealed, however, that such activities needed to be supplemented by specific initiatives on the ground undertaken in close collaboration with the communities concerned. This is the motivation behind the programme of confidence-building measures in civil society.

39. This programme consists of activities which are of a preventive nature, i.e. they are designed to defuse tensions which could otherwise lead to serious conflicts. They should be essentially practical in character and help to break down barriers between different communities at the grass roots through dialogue and opportunities to learn or work together on specific projects. Such shared experience is seen as the most effective way of promoting mutual knowledge and understanding and a rejection of violence as a means of solving problems.

40. Confidence-building measures may be undertaken in a wide variety of fields. The Intergovernmental Programme of Activities specifically mentions the media, education, housing

and welfare services. However, projects may also be developed in other cultural or social areas or in the field of youth, local democracy or regional co-operation. Their primary distinguishing characteristic, however, is that the activities to be supported will involve above all non-governmental partners.

41. Necessarily, the direct impact of such projects will generally be felt mainly at a local level. They are therefore conceived as *pilot* projects which, if successful, can have a multiplier effect and stimulate others to follow the example given. It will be necessary to encourage networking and cross-fertilisation between individual projects and to learn from successes and failures.

42. By the same token, it would be realistic to expect results in the medium and long term. The need for such pilot projects arises precisely because of the impossibility of legislating for changed mentalities. Creating a climate of confidence is a gradual process requiring patience and perseverance.

VII. Specific work concerning Roma/Gypsies

43. Roma/Gypsies have become a priority for the Council of Europe, especially since the enlargement of the Organisation towards Central and Eastern Europe. This issue lays at the intersection of three important areas which are: the fight against racism and intolerance, the protection of minorities and the problem of social exclusion. The Council of Europe has been dealing with Roma/Gypsy questions for 20 years, in particular in the field of education and culture. The Parliamentary Assembly has also been very active in this field [see Recommendation 1203 (1993)]. Activities on Roma/Gypsy issues have however considerably increased in the last three years.

44. In 1994, the Secretary General appointed a **Coordinator of Activities concerning Roma/Gypsies**. His tasks are as follows:

- to coordinate the activities on Roma/Gypsies within the Council of Europe;
- to cooperate with other international organisations involved with Roma/Gypsy issues, and in particular with the OSCE/ODIHR/Contact Point for Roma and Sinti Issues and the European Commission;
- to establish working relations with Romani/Gypsy associations
- to advise on policies and problems regarding Roma/Gypsies

45. In 1995, the Committee of Ministers decided to set up a small advisory committee which is in charge of advising the Committee of Ministers on all aspects of Roma/Gypsy issues and of coordinating existing activities. **The Specialist Group on Roma/Gypsies (MG-S-ROM)** is composed of members nominated by governments; the Parliamentary Assembly, the Congress of Local and Regional Authorities of Europe (CLRAE), the European Commission against Racism and Intolerance (ECRI), the European Commission and the ODIHR/Contact Point for Roma and Sinti Issues regularly take part in the meetings of the Group. A number of NGOs and independent experts are also invited to participate in the work of the Group. Romani Associations also play an active part in the work of the

Group.

The Group has established a plan of work consisting in:

- preparing reports, studies and recommendations for the Committee of Ministers on the main topics of concern for Roma/Gypsies, ie. human rights problems, economic and employment issues, culture and education, health, housing, the situation of women and children, etc... The Group recently submitted to the Committee of Ministers a Memorandum on Human Rights Problems facing Roma/Gypsies.
- the reports and recommendations of the Group are forwarded to the Committee of Ministers, and to other concerned Council of Europe bodies.
- the MG-S-ROM also deals with urgent questions, which are often brought to the attention of the Group by Romani NGOs. For instance, the Group sent a fact-finding mission to Bosnia and Herzegovina in May 1996, in order to study the situation of the Roma in this country and to evaluate the possibilities for repatriation of Romani refugees living abroad. In April 1997, the Group sent a consultant to Madrid, in order to prepare a study on the situation of Roma/Gypsy families living in a shanty town near Madrid.

The Group's last meeting took place in Romania, at the invitation of the Romanian Department for the Protection of National Minorities.

46. In 1996, the Committee of Ministers authorised the opening of **a special budgetary account for Roma/Gypsies in Central and Eastern Europe**. Thanks to contributions by the Dutch and Finnish Ministries of Foreign Affairs, the Secretariat has been able to implement numerous activities consisting mainly in:

- assistance to governments seeking to develop policies towards Roma/Gypsies (organisation of national round-tables, training of the police, missions of experts, ...)
- grants to organisers of events concerning Roma/Gypsies in Central and Eastern Europe (conferences, training, ...)
- organisation of training courses on the European Convention on Human Rights for lawyers involved in Romani issues
- support to pan-European Romani organisations

47. Examples of activities implemented in 1996-97:

- organisation of a round table on the situation of Roma/Gypsies in Hungary (Nov. 96) with the Office for the Protection of National Minorities of Hungary
- participation to a training course for the Romanian police organised by Project

on Ethnic Relations (1997): an expert and two policemen were sent by the Council of Europe to lead the part of the course devoted to community relations

- a grant was made towards the organisation of a seminar on "Roma in Croatia today" (April 1997), by the Group for Direct Protection of Human Rights
- organisation, together with Minority Rights Group/London, of a round table on "Roma positive images and actions" (June 1997)
- organisation of two meetings on national consultative bodies between Roma and the governments (Nov. 1996 and Oct. 1997), together with the ODIHR/Contact Point for Roma and Sinti Issues
- grant to cover the participation of Roma representatives at the ODIHR/Council of Europe round table on "the implementation of the minority rights of Roma and Sinti", on 19 November 1997 during the ODIHR Implementation Meeting

It is hoped that new contributions will make possible further activities, in particular in countries with a high proportion of Roma/Gypsies and in the newer member States.

48. Other Council of Europe bodies deal regularly with Roma/Gypsy issues.

The **Parliamentary Assembly** is very much concerned by the situation of this minority in the member States; this topic is bound to be brought up frequently in the reports of its Monitoring Committee on the Implementation of the Commitments of the Member States.

49. **The Congress of Local and Regional Authorities of Europe** held recently in Pardubice, Czech Republic the last of a series of Hearings devoted to Roma/Gypsy issues. The European Network of Cities on "Provision for Roma/Gypsies in the Municipalities", which was set up by the CLRAE in 1993, will now pursue its activities independently from the Council of Europe. Finally the Council for Cultural Cooperation (CDCC) has produced a number of publications on Roma/Gypsies in the framework of the programme: "Minorities, Human Rights and Education".

50. The **European Commission against Racism and Intolerance (ECRI)** deals with racism and discrimination facing Roma/Gypsies. Its Working Party on Roma/Gypsies is preparing a general recommendation on racism against Roma/Gypsies in the member States.

VIII. Some concluding observations regarding DH-MIN

51. It is clear from the above overview that the following types of activities are already provided for or will be undertaken in the near future within the framework of the Council of Europe:

- monitoring of legal instruments (FCNM, CRML);

- co-operation and assistance;
- a range of activities carried out by ECRI concerning racism and intolerance;
- a programme of practical projects at grass-root level aimed at confidence-building in civil society;
- specific action, including intergovernmental work, concerning Roma/Gypsies.

52. From this, it can be concluded that, until 1998, there was no general forum of intergovernmental co-operation for dealing with issues relating to the protection of national minorities. It is suggested, having regard to the terms of reference of DH-MIN, that this could be a central role of the Committee. In particular, the DH-MIN could focus on policy questions in different fields of protection of national minorities at the national level (e.g. participation in public life, education, the use of minority language etc.). The DH-MIN might usefully focus its work on a number of specific issues where exchanges of experience and of good practice may yield concrete results. In this respect, the experience gained with the implementation of the Joint Programme "Minorities in Central European Countries" could be a useful source of inspiration.

In addition, a consultation of representatives of national minorities and competent non-governmental organisations of the Committee's terms of reference would certainly lead to further proposals for the future work of the DH-MIN. More generally, it would seem that contacts and consultation between governmental experts and such representatives could become an important feature of the work of the DH-MIN; this is again an area which is not very well covered by existing structures in the Council of Europe.