



COE056851

Strasbourg, 11 February 1993
<aojldh93.min>

Restricted
DH-MIN (93) OJ 1

**COMMITTEE OF EXPERTS FOR THE PROTECTION
OF NATIONAL MINORITIES**

(DH-MIN)

2nd Meeting
22-25 March 1993
Palais of Europe, Strasbourg
Room 9

Draft agenda

1. Opening of the meeting
2. Adoption of the agenda [DH-MIN (93) OJ 1]
3. Work of the Working Party
 - Report of the 1st meeting of the DH-MIN
(23-27 November 1992) [DH-MIN (92) 7,
item 4c of the agenda]
 - Terms of reference of the Working Party [DH-MIN (92) 7,
Appendix III]
 - Report of the 1st meeting of the Working Party [DH-MIN-WP (93) 1]
(25-27 January 1993)

4. Possibility of formulating specific legal standards relating to the protection of national minorities

The DH-MIN is invited to pursue its working taking into account in particular the meeting report of the working party [DH-MIN-WP (93) 1] and Parliamentary Assembly Recommendation 1201 (1993) on an additional protocol on the rights of minorities to the European Convention on Human Rights adopted on 1st February 1993. It is suggested to consider the different points in the order agreed to by the Working Party [DH-MIN-WP (93) 1, par. 2]:

- i. List of rights and freedoms concerning the protection of national minorities
- ii. Identification of
 - (a) individual rights and freedoms of persons belonging to national minorities
 - (b) individual rights and freedoms which could be exercised jointly
 - (c) collective rights and freedoms which could be exercised by national minorities
 - (d) positive measures to be taken by States
- iii. Determination of the legal instrument(s) into which these rights and freedoms could be incorporated (additional protocol to the ECHR, and/or a separate convention and/or a framework convention).
- iv. Formulation of rights and freedoms of national minorities.

Working documents

i. Council of Europe

- | | |
|---|---|
| - Report of the 1st meeting of the DH-MIN
(23-27 November 1992) | [DH-MIN (92) 7,
item 4a and b of the agenda] |
| - Report of the 1st meeting of the Working Party
(25-27 January 1993) | [DH-MIN-WP (93) 1
and Appendix III] |
| - Comparative list of minority rights adopted
or proposed within UNO as to the CSCE and the
Council of Europe (up-dated by 1st February 1993) | [DH-MIN (92) 3 rev.] |
| - Final activity report on the protection of national
minorities for the attention of the
Committee of Ministers | [CDDH (92) 9,
Addendum] |

- List of international instruments of relevance to the protection of national minorities prepared by the CDDH [CDDH (92) 9, Addendum, Appendix III]
- Proposal for a European Convention for the protection of minorities and explanatory report prepared by the European Commission for Democracy through Law CDL (91) 7 and 8
- European Convention entitled on European Charter for Regional or Minority Languages
- Draft protocol to the European Convention on Human Rights guaranteeing the protection of ethnic groups prepared by Austria and distributed at the 89th Session (26 November 1991) of the Committee of Ministers [CDDH (91) 46]
- Informal working paper on protection of national minorities presented by the Swedish member of CDDH at the January 1992 extraordinary meeting of the CDDH [CDDH (92) 3]
- Informal working paper on protection of national minorities presented by the German member of CDDH at the January 1992 extraordinary meeting of the CDDH [CDDH (92) 4]
- Report on rights of minorities of the Committee of experts on human rights adopted on 9 November 1973 for the attention of Committee of Ministers [DH/Exp (73) 47]
- Recommendation 1134 (1990) of the Parliamentary Assembly on the rights of minorities and Report of the Committee on Legal Affairs and Human Rights [Rec. 1134 (1990) and Doc. 6294]
- Recommendation 1177 (1992) of the Parliamentary Assembly on the rights of minorities and Report of the Committee on Legal Affairs and Human Rights [Rec. 1177 (1992) and Doc. 6556]
- Recommendation 1201 (1993) of the Parliamentary Assembly on an additional Protocol on the rights and freedoms of the minorities to the ECHR and Report of the Committee on Legal Affairs and Human Rights [Rec. 1201 (1993) and Doc. 6742]
- Contribution of the Council of Europe to the CSCE meeting of experts on national minorities (Geneva, 1-9 July 1992)

- Contribution of the Council of Europe to the Moscow meeting on the Conference on the Human Dimension of the CSCE (10 September-4 October 1991)

- Case law of the European Commission and Court of Human Rights, memorandum prepared by the Secretariat of the European Commission of Human rights

[AS/Jur (43) 27 rev.]

ii. CSCE

- Document of the Copenhagen meeting of the Conference on the human dimension of the CSCE (5-29 June 1989)
- Charter of Paris for a new Europe adopted at the meeting of Heads of States or Governments of the CSCE (Paris, 19-21 November 1990)
- Report of the CSCE meeting of experts on national minorities (Geneva, 1-19 July 1991)
- Document of the Moscow meeting of the Conference on the human dimension of the CSCE (10 September-4 October 1991)
- Document of the Summit of Helsinki (Helsinki, 9-10 July 1992)

iii. United Nations

- Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities - Sub-Commission on Prevention of Discrimination and Protection of Minorities - Preliminary report submitted by Mr Eide (Norway)

[E/CN.4/Sub.2/1991/43
24 June 1991
E/CN.4/Sub.2/1992/37
1 July 1992]

- Declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (Resolution 47/135 adopted at the 47th Session of the General Assembly)

iv. Other

- Draft Convention on the Fundamental Rights of Ethnic Groups in Europe (Additional Protocol to the European Convention on Human Rights) of the Federal Union of European Nationalities (28 May 1992)

- Preliminary Draft Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the recognition of cultural rights, elaborated by the Working Party set up after the 8th Fribourg Colloquy, Switzerland (as revised in January 1993)
 - Declaration of Athens on the rights of minorities prepared by the European Congress of the rights of Minorities and Peoples (Athens, 10-13 December 1993)
5. Preparation of a draft final activity report of the DH-MIN for the attention of the CDDH
 6. Dates of the next meetings
 - DH-MIN-WP 26-28 April 1993
 - DH-MIN 28 June-1st July 1993
 7. Other business