



Strasbourg, 16 March 2015

Public
ACFC/MR(2014)003

**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION
FOR THE PROTECTION OF NATIONAL MINORITIES**

**51th meeting
Strasbourg, 1-5 December 2014**

Council of Europe – Agora building

DRAFT MEETING REPORT

Item 1: Opening of the meeting

1. The Advisory Committee on the Framework Convention for the Protection of National Minorities held its 51th meeting from 5 to 9 December 2014 in Strasbourg. Mr. Francesco Palermo, Ad Interim President of the Advisory Committee opened the meeting and warmly welcomed the members of the Committee, in particular the new members.

Tour de table – introduction of the new members of the Advisory Committee and the Secretariat

2. The new members introduced themselves to the Advisory Committee. While providing information on their backgrounds and minority-related experience, the new members expressed their satisfaction for having the opportunity to serve on the Advisory Committee and to contribute, through participating in the Committee's monitoring activities, to the enhancement of the protection of national minorities in Europe.

3. In order to give to the new members a broader view of the various aspects of the work of the Advisory Committee, the Secretariat made a short presentation about the monitoring process (examination of state reports, preparation of country-specific visits, drafting Opinions), as well as the working methods of the Committee. The respective tasks of the Committee of Ministers and its Rapporteur Group on Human Rights (GR-H) in relation to the Framework Convention were also presented. Some details were provided on the co-operation with the international governmental and non-governmental partners (EU FRA, OSCE HCNM, UN, NGOs as well as joint programmes with the EU and other donors.

4. The new members were also informed on the role and responsibility of the Advisory Committee members during the country visits and some practical questions were clarified. The professional diversity and wide competence in the new composition of the Advisory Committee was also welcomed.

5. Concerning the synergy with other Council of Europe monitoring bodies, the secretariat provided information about cooperation between "kin mechanisms" as the Framework Convention for National Minorities, ECRI, and the Language Charter (several joint Bureau meetings and joint monitoring visits (most recently to Ireland and Estonia with ECRI)). The Advisory Committee expressed several concerns with regards to joint visits and agreed to carry them out only in specific situations, subject to its prior discussion about those situations, and following a joint preparation of such joint visits. In addition, at the end of November, the representatives of the Framework Convention for the Protection of National Minorities, ECRI and the Language Charter met in Northern Finland to discuss together with Sami representatives from Finland, Norway, Sweden and Russia how these mechanisms can address the question of the Sami people, their culture and languages. This could serve as an example for future thematic events organised by kin-monitoring bodies.

Item 2: Adoption of the agenda

6. The agenda, as reproduced in Appendix II, was adopted.

Item 3: Approval of the report of the 50th meeting of the Advisory Committee

7. Having examined the report of its 50th meeting, the Advisory Committee adopted the final text of the report as reproduced in document ACFC/MR(2014)002.

Item 4: Election of the Bureau

8. The Bureau of the Advisory Committee was elected, in accordance with Rules 4 and 5 of the Rules of Procedure of the Advisory Committee. The elections of the President and Vice-Presidents were held separately and by secret ballot:

Mr Francesco Palermo was unanimously elected President of the Advisory Committee.

Ms Petra Roter was elected 1st Vice-President of the Advisory Committee.

Ms Ivana Jelić was elected 2nd Vice-President of the Advisory Committee.

Item 5: Examination of draft Opinions and their adoption

9. The Committee examined the draft 4th cycle Opinions on the Slovak Republic, Spain and Portugal.

10. During the plenary session on 3 December 2014, the Advisory Committee decided, in the light of the final version of the draft Opinion on the Slovak Republic, to vote on the text.

11. During the plenary session on 3 December 2014, the Advisory Committee decided, in the light of the final version of the draft Opinion on Spain, to vote on the text.

12. During the plenary session on 4 December 2014, the Advisory Committee decided, in the light of the final version of the draft Opinion on Portugal, to vote on the text.

13. The voting was organised in accordance with Rule 34 of the Committee's Rules of Procedure, stipulating that Opinions should be adopted by a majority of ordinary Committee members, as well as with Rule 34 of Resolution (97) 10 to the effect that "Additional members shall sit in an advisory capacity; they shall not have the right to take part in a possible vote. The same shall apply to ordinary members regarding the report of the Party in respect of which they have been elected to the List".

14. The 4th cycle Opinions the Slovak Republic and Spain and the 3rd cycle Opinion on Portugal were adopted unanimously.

Item 6: Composition of the Advisory Committee's country working-groups

15. The Secretariat presented a proposal for composition of the working groups that have to be set up to handle the preparation of opinions on the States Parties for which State Reports have been received or are due between now and the end of 2015.

16. In line with past practice, the following criteria have been taken into account in drawing up the proposed list:

- the member in respect of any given country is not included in the working group on his/her own country;
- members do not participate in working groups on a country where there is a significant minority with which they may have links;
- as much use as possible is made of members' specific knowledge and linguistic skills;
- efforts have been made to ensure a balanced representation of men and women in each group;
- a balanced representation of new and returning members in each group is also put in place, and the workload of the Advisory Committee is equitably spread.

17. The President underlined the importance of Committee members taking active part in the activities of the working groups. The President further explained that the composition of the working groups will not necessarily remain the same over the next few months: experience has shown that changes are sometimes necessary when some members are unable to take part in visits, to replace members who resign or to take into account the arrival of new members on the Committee. Such changes should, however, remain as limited as possible. The Secretariat and the Bureau will inform the members concerned as soon as a change becomes necessary. For this reason it was also decided that when possible changes are foreseen, the Advisory Committee may also indicate possible substitute working group members.

Item 7: Thematic commentary on the personal scope of application of the FCNM

18. The plenary was briefed on the ongoing engagement of the working group to proceed with the draft outline.

19. The plenary was briefed about the steps taken so far for the drafting and adoption of the 4th Thematic Commentary on the personal scope of application. A proposal for a draft structure of the commentary was presented to the plenary and an overview provided of the main chapters identified thus far, providing an opportunity in particular for the new members to provide input or seek clarifications as required. It was underlined that the evolution of the scope of application through the monitoring cycles should be reflected in the commentary and that the new challenges of member states related to globalisation and increased mobility should be taken into account, while also considering the experiences of non-member states such as Canada. It was further pointed out that the decision to devote the fourth Commentary to the scope of application was based on necessity and that, in comparison with the other commentaries, it was particularly important to define the limits of the content with great care. Finally, it was considered that the developments taking place within minority communities themselves and their needs, including as regards inter-generational issues and the engagement of youth, should also be reflected in the commentary.

20. Given the particular nature of this Commentary, all members of the Advisory Committee were again invited to actively contribute. It was decided to present a more developed draft outline to the plenary in March 2015 for further review and discussion by the plenary.

Item 8: Recent and future developments

21. The Advisory Committee was briefed about recent developments and upcoming future activities, including the planned country visits to Germany in January 2015 and Georgia in March 2015 for discussion of the draft Opinions during the 52st plenary. Information was further provided on a planned conference at the end of March 2015 on the Åland Islands to celebrate 20

years of the adoption of the Framework Convention, entitled “Minority protection at a crossroads”, to which all members of the Advisory Committee were invited.

Item 9: Dates of next meetings

22. The date for the next meeting were confirmed:

- 52nd plenary session: 16-20 March,
- 53rd plenary session: 15-19 June and
- 54th plenary session: 16-20 November 2015

ANNEX I

LIST OF PARTICIPANTS

ADVISORY COMMITTEE MEMBERS

Mr Francesco PALERMO (Italy) – President
Ms Petra ROTER (Slovenia) – 1st Vice-President
Ms Ivana JELIĆ (Montenegro) – 2nd Vice-President
Mr Eero J. AARNIO (Finland)
Mr Reinis ĀBOLTIŅŠ (Latvia)
Ms Arzu AGHDASI-SISAN (Azerbaijan)
Mr Neven ANĐELIĆ (Bosnia and Herzegovina)
Mr Grigor BADIYAN (Armenia)
Ms Brigitta BUSCH (Austria)
Mr Yiannis CHRYSOSTOMIS (Cyprus)
Ms Emilia DRUMÉVA (Bulgaria)
Ms Helena HOFMANNOVÁ (Czech Republic)
Mr Tomáš HRUSTIČ (Slovak Republic)
Ms Tove H. MALLOY (Denmark)
Ms Tatjana MURAVJOVA (Estonia)
Mr Craig OLIPHANT (United Kingdom)
Mr Valery OVCHINNIKOV (Russian Federation)
Ms Carmen SANTIAGO REYES (Spain)

SECRETARIAT OF THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

Ms Michèle AKIP, Head of Secretariat
Mr Krzysztof ZYMAN, Administrator
Ms Sarah BURTON, Administrator
Ms Charlotte ALTENHÖNER-DION, Administrator
Ms Nicola MARKES, Documentalist
Ms Danijela GERDIJAN, Assistant
Ms Geneviève HALLER, Assistant

ANNEX II
ANNOTATED AGENDA

Opening of the meeting

Adoption of the Agenda

Brief introduction of the Framework Convention monitoring mechanism, country visits, role of the members, working methods and synergy, cooperation with the international partners

Approval of the 50th meeting report of the Advisory Committee

Election of the President and two Vice-Presidents

Examination of individual state reports and drafting of opinions, including in country-specific working groups

Composition of country-specific working groups

Information on recent developments related to the Framework Convention

Dates of the next meetings