

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 22 February 2016

ACFC/MR(2015)003

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

**54th meeting
Strasbourg, 16-20 November 2015**

***Council of Europe – Agora building
Room G04***

MEETING REPORT

Item 1: Opening of the meeting

1. The Advisory Committee on the Framework Convention for the Protection of National Minorities held its 54th meeting from 16 to 20 November 2015 in Strasbourg. Mr Francesco Palermo, President of the Advisory Committee, opened the meeting and warmly welcomed the members of the Committee. He also informed the Committee of the absence of Ms Carmen Santiago Reyes and Mr Grigor Badiryan, who had sent their apologies.
2. The Head of Anti-discrimination and Social Cohesion Department, Ms. Maria Ochoa-Llido informed the Committee about recent developments linked to minority issues, in particular the fact that several events were organised this year in close cooperation with ECRI and the ECRML. She also mentioned that the General Director will participate at the annual SG's lunch with Chairs of Council of Europe monitoring bodies.

Item 2: Adoption of the agenda

3. The agenda, as reproduced in Annex II, was adopted.

Item 3: Approval of the report of the 53rd meeting of the Advisory Committee

4. Having examined the report of its 53rd meeting, the Advisory Committee adopted the final text of the report as reproduced in document ACFC/MR(2015)002.

Item 4: Examination of draft Opinions and their adoption

5. The Committee examined the draft 4th cycle Opinion on the Czech Republic. During the plenary session on 16 November 2015, it decided, in the light of the final version of the draft Opinion on the Czech Republic, to vote on the text.
6. 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.
7. The 4th cycle Opinion on the Czech Republic was adopted unanimously.
8. The Committee examined the draft 4th cycle Opinion on Croatia. During the plenary session on 18 November 2015, it decided, in the light of the final version of the draft Opinion on Croatia, to vote on the text.
9. 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".
10. The 4th cycle Opinion on Croatia was adopted unanimously.
11. The Committee examined the draft 4th cycle Opinion on Italy. During the plenary session on 19 November 2015, it decided, in the light of the final version of the draft Opinion on Italy, to vote on the text.

12. 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.

13. The 4th cycle Opinion on Italy was adopted unanimously.

14. The Committee examined the draft 4th cycle Opinion on San Marino. During the plenary session on 20 November 2015, it decided, in the light of the final version of the draft Opinion on San Marino, to vote on the text.

15. 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.

16. The 4th cycle Opinion on San Marino was adopted unanimously

Item 5: Exchange of views with the OSCE High Commissioner on National Minorities

17. The Advisory Committee held an exchange of views with Ms Astrid Thors, the OSCE High Commissioner on National Minorities (HCNM). The HCNM was accompanied by Ms Iryna Ulasiuk, Legal Advisor.

18. The HCNM indicated that, despite the difference in their respective mandate, the geographical area and the focus of activities, the ACFC and the HCNM have a complementary role in promoting minority rights. In addition to the general co-operation existing between the OSCE-ODIHR and the Council of Europe, there is also a common and shared responsibility for the Advisory Committee and the HCNM to reinforce each other's work. She mentioned various fields of activity of common interest such as integration, equality and non-discrimination on national/ethnic grounds, multilingual education, gender issues and the protection of Roma. In addition where the situation of certain national minorities in Europe or neighbouring states was a cause for concern or a subject of tensions between states, close co-ordination of relevant international players and alignment of message are essential. In the current political context, the significance of the current ACFC thematic work on the scope of application of the FCNM and the HCNM Ljubljana Recommendations on Integration of Diverse Societies was also underlined. Future joint activities might be a good opportunity to increase the visibility of both bodies.

19. Some proposals for strengthening co-operation were identified:

- The HCNM can play an active role in the drafting process of the ACFC 4th thematic commentary, including in the 2016 external consultations and the official launching conference;
- Joint activities in minority-related issues might be organised;
- A more systematic exchange of information to prepare country visits could be established;
- Joint activities with OSCE member States who are not parties to the FCNM might be organised in order to promote further ratifications of the FCNM;

- Joint follow up meetings where appropriate to present ACFC Opinions might be organised;
- A one-day meeting to put in place a more co-ordinated ACFC/HCNM strategic approach on minority issues might be organised.

20. The Advisory Committee welcomed this exchange of views and together with the HCNM agreed to co-operate further and to hold further exchanges in the future.

Item 6: Thematic commentary on the scope of application of the FCNM

21. The Advisory Committee examined in detail the preliminary draft of the 4th Thematic Commentary and set out additional observations and amendments in a plenary discussion. Moreover, it was decided that the Secretariat will send the draft for informal inter-secretarial consultations for comments from the secretariats and relevant Committees. After obtaining some first comments, external consultations on an advanced text will be organised in early 2016, to which independent experts, academics and representatives of national minority organisations will be invited. The adoption of the 4th Commentary is foreseen during the last session of the ACFC in its current composition, in May 2016.

Item 7: Recent and future developments

22. The Advisory Committee was informed of recent developments linked to the Framework Convention since the previous meeting concerning the status of receipt of State Reports, country visits, opinions published, submission of government comments, resolutions adopted as well as the events in which the ACFC and/or Secretariat members have participated.

23. The Advisory Committee took note of the proposal made by Mr Yiannis Chysostomis to organise a conference in Cyprus in 2016 and requested its colleague to be in touch with the Cypriot authorities and to report about it at the next plenary meeting.

24. The Advisory Committee decided to adopt a Road Map for the preparation of the Opinions on Finland, Hungary and “the former Yugoslav Republic of Macedonia” for the plenary session to be held in February 2016:

Finland:

- by 14 December, working group and national expert get the first draft;
- by 21 December, secretariat gets comments from the working group;
- by 15 January, draft Opinion sent to Advisory Committee;
- by 22 January, secretariat and working group get all comments and prepare the 2nd draft for the plenary (with comments incorporated in the form of concrete revisions).

Hungary and “the former Yugoslav Republic of Macedonia”:

- by 18 December, working group gets a draft outline of issues to be raised in the article-by-article part; working group submits comments right away;
- by 18 January, working group gets a full draft; working group has one week to send their comments;

- by end January, Secretariat gets comments from working group (when agreed by working group, the 2nd draft is sent to the plenary);
- by early February the draft Opinion is sent to the Advisory Committee;
- by mid-February secretariat and working group get all comments and prepare the 2nd draft for the plenary and for the national experts (with comments incorporated in the form of concrete revisions).

25. All comments have to be sent to the entire working group whose composition will be written in the draft opinion. If some members prefer to insert comments as track changes, they can do so but they should also say that those comments are for the working group alone. The substance of their comments are included in the draft Opinion but are not made available in their initial form to the other members of the Advisory Committee.

Item 8: Dates of next meetings

26. The dates for the following meetings were confirmed as follows:

55th plenary session: 22-26 February 2016

56th plenary session: 23-27 May 2016.

ANNEX I

LIST OF PARTICIPANTS

**Advisory Committee on the Framework Convention
for the Protection of National Minorities**

Mr Francesco PALERMO (Italy) - *President*

Ms Petra ROTER (Slovenia) - *First Vice-President*

Ms Ivana JELIĆ (Montenegro) - *Second Vice-President*

Mr Eero J. AARNIO (Finland)

Mr Reinis ĀBOLTIŅŠ (Latvia)

Ms Arzu AGHDASI-SISAN (Azerbaijan)

Mr Neven ANĐELIĆ (Bosnia and Herzegovina)

Mr Grigor BADIRYAN (Armenia) *excused*

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) *excused*

Advisory Committee additional member

Ms Antonija PETRIČUŠIĆ (Croatia)

OSCE

Ms Astrid THORS, High Commissioner on National Minorities
Ms Iryna ULASIUK, Legal Advisor

Council of Europe

Ms Maria OCHOA-LLIDO, Head of Anti-discrimination and Social Cohesion Department

Secretariat

Ms Michèle AKIP, Head of Secretariat

Mr Krzysztof ZYMAN, Administrator

Ms Charlotte ALTENHÖNER-DION, Administrator

MS Gisella GORI, Administrator

Ms Danijela GERDIJAN, Assistant

Mr Anthony ISKENDERIAN, Assistant

Interpreters

Mr Michael HILL

Ms Sara WEBSTER

Mr Derrick WORSDALE

ANNEX II

ANNOTATED AGENDA

Opening of the meeting

Adoption of the Agenda

Approval of the meeting report of the 53rd meeting of the Advisory Committee

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

Exchange of views with the OSCE High Commissioner on National Minorities

Thematic commentary on the personal scope of application of the FCNM

Recent and future developments

Dates of next meetings