

Address by Ambassador Christian Oldenburg
on the occasion of the Conference marking the 10th anniversaries of the entry into force of the
Framework Convention for the Protection of National Minorities and
the European Charter for Regional or Minority Languages

11 March 2008 (9h00), “G” building, Room G.3

Dear Deputy Secretary General,
Dear Deputy Prime Minister Čaplovič,
Dear Commissioner for Human Rights,
Excellencies, Ladies and Gentlemen,

The Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages celebrate today their 10th anniversaries, and I am very pleased to see in this room so many friends and well-wishers gathered for the occasion. Ten years is a good time to assess the progress which has been achieved since entry into force of both the Framework Convention and the Charter and to plan the way ahead, so please allow me to reflect, as the Chairman of the Rapporteur Group of Ministers' Deputies on Human Rights, on the role and the contribution of the Committee of Ministers in the monitoring of the compliance of State Parties with the Framework Convention.

My colleague, Ambassador Bruno Gain, Chairman of the Rapporteur Group on Legal Co-operation will address in a few moments the questions relating to the Language Charter, which falls into his competence within the division of labour among the different working groups of the Committee of Ministers.

I would like to make a personal and national comment before going into the work of the GR-H and its fine co-operation with the Advisory Committee on the Framework Convention: As a child, I lived for four years in Flensburg just south of the Danish-German border, and I attended one of the schools there for the people, who had decided to be part of the Danish community in

Flensburg. So I have been interested in national minorities and their well-being since my childhood.

The Danish-German border area has a long and bloody story. During more than six hundred years German and Danish armies have off and on fought battles for the control of Schleswig. The Danish-German border was changed peacefully after a referendum in 1920. But there were still political attempts on both sides to change the border in Schleswig through new referenda. The new democratic Germany agreed in 1955 with Denmark to issue the separate, but quite similar Bonn and Copenhagen Declarations on the rights and obligations of the two minorities, and since then the minorities have been seen as an enrichment and an asset for the region, not as a threat to the border. I feel confident that this good example was an inspiration to the people who elaborated the Framework Convention for the Protection of National Minorities and the European Charter for Regional or minority Languages.

Coming back to the Framework Convention, I would like to emphasise the importance of regular exchanges between the Committee of Ministers and the Advisory Committee as both share the challenging task to ensure proper monitoring of the implementation of this Convention. In fact both bodies cooperate very closely in sharing information, showing mutual understanding of their respective positions and seeking complementarity to back expert opinions with a political message.

This is why, just two weeks ago I met with the Advisory Committee during its last meeting in Strasbourg and why the President of the Advisory Committee regularly participates in meetings of the GR-H. These regular meetings contribute to ensuring consistency between the findings and recommendations of the Advisory Committee and the conclusions and recommendations of the Committee of Ministers. So far we have not seen great discrepancies between the conclusions of the ACFC and the Committee of Ministers' resolutions and I very much hope that we will be able to maintain this consistency of views in the future as it can only reinforce the strength of our message to the State Parties.

It is worth recalling here, that whereas at the time when we celebrated the fifth anniversary of the Framework Convention the number of resolutions adopted by the Committee of Ministers stood at 20, today, five years later this number is fifty-five. It clearly shows that the machinery is working well now, as we almost doubled our workload (and output) in the second part of the past decade.

Another issue that has been on our agenda since the beginning of the monitoring process is the length of the monitoring process and the ensuing delay in the publication of the monitoring results. In this context, it is important to continue our efforts to carry out at every stage of the procedure a swift monitoring process, so as to ensure that it has a significant and timely impact in the State Parties and increase transparency.

Therefore, the GR-H decided, in 2006, to authorise the preparation of resolutions simultaneously with the introduction of the Advisory Committee's Opinions in the GR-H, in order to shorten the sometimes long delay between the discussion of an Opinion and the adoption of a Resolution by the Committee of Ministers. This measure made it possible to gain time in respect of some State Parties under examination in 2007. I will therefore try to ensure that it be pursued in the future, and I will be open to new ideas to make the monitoring mechanism even more efficient..

Last but not least, the importance of continuity in the monitoring, by means of discussions around the Framework Convention in the countries concerned between monitoring cycles (the so-called "follow-up seminars") carried out by the Advisory Committee was recently underlined and encouraged by the members of the GR-H. I also take it as a sign of appreciation by the State Parties of the work that the Advisory Committee carries out.

Finally, let me stress how glad I am to chair the GR-H at the time of the 10th anniversary of the entry into force of the Framework Convention. It is an important moment in the history of this instrument and maybe the time for a reflection on the progress achieved since 1998. I am confident that our meeting today will provide an excellent opportunity to reflect on this.