

Opening address by Philippe Boillat
At the Conference “Enhancing the Impact of the Framework Convention”,
9 October 2008, Strasbourg

Ladies and Gentlemen,

It is a great pleasure for me to be with you here today at this conference on the impact of the Framework Convention for the Protection of National Minorities. The Framework Convention came into force some 10 years ago and this is the perfect opportunity to discuss the major challenges that the Convention has encountered over the past ten years and consider how they have been met. However, the main purpose of the conference is, perhaps, to take a look at the main challenges that lie ahead.

We celebrated the 10th anniversary of the Framework Convention earlier this year at a meeting here in Strasbourg at the same time as the tenth anniversary of the European Charter for Regional or Minority Languages. The meeting also provided the opportunity to underline the importance of these two key Council of Europe instruments for the protection of national minorities, which, although they have their own particularities and their own particular focus, are clearly complementary. Another purpose of the meeting, in keeping with the objectives of the 2005 Warsaw Summit, was to reassert member states' commitment to the Framework Convention and to highlight its strengths and its potential.

The conference I have the honour of opening this afternoon is intended to use the commitment expressed by Council of Europe member states in Warsaw to go even further: we are here today because we are determined to make even more progress in this field. In order to do so, we must not be afraid to take a critical look at what has been achieved by the monitoring mechanism of the Framework Convention. We must also be bold and creative if we want to meet the large number of challenges ahead. Today I would like to focus on three of these challenges, which I consider to be particularly important:

First of all, the need to **take decisive steps to bridge the sometimes all too obvious gap** between the **objectives set out** in policies and legislative texts and **the actual situation on the ground**. The fact that legal frameworks are improving and

that more attention is gradually being given to the problems raised by the Advisory Committee in its opinions is obviously a step in the right direction. Nevertheless, there is undeniably a gap between policies and the actual situation.

Take for example the situation of Roma populations. The difference between the ambitious and generous proposals set out in national strategies concerning the Roma and the very different situation we see when visiting districts inhabited mainly by these populations is undoubtedly an issue of concern to all of us. The Roma are completely marginalised not only socially but also with regard to their most fundamental rights. One of the aims of this conference should be to do everything we can to overcome this divide!

The gap between theory and practice is, alas, also obvious in other fields. The mechanisms for consulting minorities, which have been set up to facilitate and institutionalise national minorities' participation in decisions, are another example. Many Parties to the Convention have introduced measures to facilitate their participation but what is to be said when it is discovered that the bodies set up for this purpose merely consist of a table and a chair, and at the very best, a computer? What is to be said when it is discovered that these bodies seldom meet and that no action is taken in response to their findings?

Although I do not wish to be entirely pessimistic and talk only about what is not working properly, it must be said that there is, in the long run, no satisfaction in noting again and again, from one monitoring round to the next, that policies or mechanisms cannot take effect because the resources allocated to them are, to say the least, insufficient. I am therefore particularly pleased that part of this conference will be devoted to studying the impact of the Framework Convention in various geographical areas of Europe. The studies which will be presented to us will give us some pointers as to what needs to be done to ensure that the findings of the Advisory Committee and the Recommendations of the Committee of Ministers provoke more response at European level and, last but not least, are reflected in the practical steps taken at national level.

And now I come to the second challenge I would like to discuss: the need for lasting change.

Nobody would deny that major changes in society take time. 10 years may seem a relatively short time in terms of the sometimes fundamental transformations that affect us. However, that does not mean that we should just wait for things to come about or expect these changes to take root naturally. On the contrary, we must ensure that the advances made in the context of the Framework Convention are lasting changes and that they do not depend on the political party in power or other more random considerations. This requires the involvement and active participation of all the actors and stakeholders concerned. I am therefore pleased to see that, through the intermediary of Minority Rights Groups, a number of NGOs and associations representing minorities have been invited to join in our discussions. It is essential that civil society contributes to our discussions and helps bring these changes about. Indeed civil society must espouse such changes to ensure that they do not remain a dead letter.

If we want to bring about lasting changes in society, we must also be extremely vigilant and that brings me to the third challenge I wish to highlight.

The need to be vigilant

Every day we see examples of the ways in which people take a negative view of the ethnic diversity of European societies. National minorities and certain vulnerable groups are unfortunately often the scapegoat, held responsible for all of society's problems. Even more worrying is the fact that we are sometimes faced with situations in which national minorities are perceived to be a destabilising factor and a possible threat to our national borders. War in Europe is every European's nightmare: the nightmare that haunted the whole of Europe during the conflicts in former Yugoslavia and which prompted the Heads of State and Government of the member States, meeting at the 1993 Vienna Summit, to adopt a legal instrument for the protection of national minorities, i.e. the Framework Convention. The Framework Convention is obviously not a panacea but it can only be effective if states apply the principles it enshrines in good faith and if it has efficient allies at international level. I am very

pleased to see that these allies are represented here today - the OSCE, the UN and the European Union – and to welcome their representatives.

I also welcome the fact that this conference will provide a further opportunity to strengthen the link between the Framework Convention and the activities and mandates of each of its partner organisations.

Ladies and Gentlemen,

Numerous metaphors have been used to describe the progress of the Framework Convention since it came into force in 1995. Five years ago, at the “Filling the Frame conference”, as we decided to call it, we compared the Framework Convention to a five-year-old child, who had exceeded its parents’ expectations. We congratulated ourselves on the fact that our child had been able to make its voice heard without necessarily imitating its elders or seeking praise.

In 2008, the Framework Convention is gradually coming of age. It must now become fully mature. The forthcoming third monitoring cycle of the Framework Convention in 2009 will be an important landmark for the development of this convention. It will be a transition phase, at the end of which we will be in a better position to gauge the effectiveness of the Framework Convention.

If we allow ourselves to be complacent and to be lulled by the routine of the monitoring cycles, our child will age prematurely. Our ambition at the Council of Europe is to do better and to do so more efficiently and I am happy to see so many well-known figures committed to protecting national minorities here today at the Council of Europe to stimulate our debates and assist us with their comments, their analysis of the situation and their proposals for calmly preparing the future of the Framework Convention.

I trust that your discussions will be fruitful.