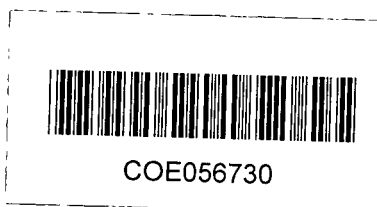




COUNCIL OF EUROPE    CONSEIL DE L'EUROPE



Strasbourg, 7 June 2005

DH-MIN(2005)009

## QUESTIONNAIRE ON THE CONSULTATION ARRANGEMENTS CONCERNING NATIONAL MINORITIES

*DH-MIN members are kindly invited to answer the following questions with regard to the consultation arrangements concerning national minorities and to submit their replies by e-mail to the Secretariat ([stephanie.marsal@coe.int](mailto:stephanie.marsal@coe.int)) by 5 September 2005.*

1.    **What are the current institutional and other arrangements, if any, of consultation of persons belonging to national minorities on issues affecting them in your country (advisory body of national minorities or other mechanisms of consultation of national minorities)?<sup>1</sup>**
2.    **Please provide information on the normative basis, mandate/scope of action and functioning of the existing consultation mechanisms/advisory bodies. Please use the attached table ([appendix 1](#)), where relevant, as a reference for structuring the information you will provide.**
3.    **Please provide information as to the main factors that affected the decision to opt for a particular form of consultation mechanism/advisory body?**
4.    **Please provide a critical assessment of the functioning of the consultation mechanisms/advisory bodies in place. Are there any suggestions debated at domestic level to improve their status, mandate/scope of action and functioning? Have good practices been identified?**
5.    **Please indicate any suggestions you may have concerning the ways in which intergovernmental co-operation could contribute to enhancing further consultation of persons belonging to national minorities?**

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<sup>1</sup> Please list all relevant bodies and assign them abbreviations as follows :  
A.1., A.2, etc. for bodies at the national level;  
B.1., B.2, etc. for bodies at the sub-national levels (regional, provincial, *Länder*, etc. levels),  
C.1., C.2, etc. for bodies at the local level.

Please use these abbreviations in your replies to this questionnaire.

## **APPENDIX 1**

### **STATUS**

- What is the legal basis for the consultation mechanism/ advisory body of national minorities (constitutional, ordinary law, other),
- What status does the consultation mechanism/advisory body have: NGO status/public body status/ personal autonomy arrangements with advisory functions, other status?
- If the advisory body is a public body, what is its relation to public authorities (is it independent and how is its independence ensured)?
- At what level do these consultation mechanisms/bodies operate: central level bodies/ local or regional bodies, both levels?

### **MANDATE/FUNCTIONS**

Please specify the main functions of the consultative mechanism/advisory body, which may include some of the following:

- Taking initiatives and making proposals/recommendations,
- Possibility to request information,
- Monitoring the situation of persons belonging to national minorities, preparation of studies, conducting research,
- Increasing public awareness of problems related to the situation of national minorities,
- Consultation and participation in the preparation of public policies on national minorities: existence of an obligation to consult in the legislative process and other public policy decisions affecting national minorities, areas where consultation is foreseen (culture, education, language, social and economic participation, other areas),
- Coordination functions among different minorities, other coordination functions,
- Other specific tasks assigned, including distribution of resources directed to cultural activities.

### **MEMBERSHIP/MINORITIES INVOLVED**

- Does the consultation mechanism/advisory body include all minorities or are there minority-specific bodies or forms of consultation?
- Is the advisory body composed of representatives of national minorities only or is it a mixed structure with representation of both national minorities and state officials?
- What is the role of state officials in the work of advisory body/consultation mechanism?
- How is the formal and/or factual influence of representatives of minority groups safeguarded?
- How are the minorities' representation and representativity (representation of numerically small minorities, representatives of minority NGOs, minority representatives from Parliament, political parties of minorities, others) ensured in the advisory body/within the consultation mechanism?
- Please describe the appointment procedure for participation in the advisory body/consultation mechanism: who proposes (national minorities, political parties, churches, others), who decides (Government, Parliament, others)?

## **FUNCTIONING/ WORKING METHODS**

- Are there any procedural guidelines in place for consultation of persons belonging to national minorities/advisory bodies?
- What are the working methods used, including the forming of sub-bodies dealing with specific areas or specific consultation mechanisms for certain areas?
- What channels of co-operation exist between the advisory body/consultation mechanism and Parliament (including through the relevant Parliamentary committees) and the Government (including governmental offices for national minorities where relevant)?
- What is the situation with regard to the resources allocated to the advisory bodies/consultation mechanisms (finance, staff) and what is the source of funding (central/local authorities, mixed funding)?
- What links exist between the advisory bodies/consultation mechanisms at the different levels (local/central)?
- What channels of co-operation/links have been created between various advisory bodies working at the same level (if such bodies exist)
- Are the recommendations and/or the findings of the advisory bodies/consultation mechanisms publicised or otherwise communicated to a wider audience?
- Where can the public seek and find information about the mandate, composition and activities of the advisory body/consultation mechanism (for instance, does a specific website exist)?