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Minorities and Minority Languages in a Changing Europe

Conference on the occasion of the 20th anniversary of the Framework
Convention for the Protection of National Minorities and the European
Charter for Regional or Minority Languages

Council of Europe, Strasbourg, France
Palais, room 1

18 – 19 June 2018

Panel session: Civil society and the Implementation of the Council of Europe's Conventions on Minority Rights

Claire Thomas, Minority Rights Group

I agree with most of what my fellow panellist, Lorant Vincze, has mentioned – barring his final point. So I am not going to make those points again. Instead I will try to add some new perspectives. I want to pick up on the point that Snjezana asked in the previous question – What success have we had getting the Council of Europe's normative frameworks actually implemented....

It is true that the Charter and the FCNM bring us really good normative standards. They set a really clear benchmark of what states should be aiming to achieve. We also just heard from the High Commissioner on National Minorities about the work that he and his office do once a state has decided to act – behind the scenes helping them to work out politically how to move ahead and technically supporting them with drafting and policy making. But there is a missing middle in this picture – the meat in the sandwich. In our view and that of many of our partners, it has been the European Union – and particularly the prospect of getting closer to the European Union that has provided states and leaders with the political will to take on minority rights issues and to make real practical changes. It is the EU that has provided leverage. And that leverage is now on the wane. That also is a way in which Europe is changing. And the Council of Europe, the member states and all of us need to think about what other forms of leverage there might be that could replace that.

I also want to ask states to think about who they nominate to be experts on the Advisory Committee. I know that states have nominated members of minorities to serve and represent their countries but I don't know how many and I don't know if anyone does know. Minorities would want that to be a factor that people think about and talk about and some positive action would not go amiss – at least in terms of symbolism.

I am positive about the work of the Advisory Committee – to add one more to Lorant's points, I would just mention the follow up visits, meeting minority community representatives during those visits and in particular visiting places where minorities live and seeing their conditions and seeing the reality of their lives.

We have heard about monitoring fatigue – and states will mention this but they have a paid civil service to do the work. Minority communities don't and increasingly can't get funding for the most basic functions, let alone getting together, gathering data, analysing it and drafting a shadow report. CSOs will not continue to draft reports ad infinitum – particularly if they don't lead to at least some meaningful changes for their communities or at the very least the opening of a dialogue about their problems and concerns with the state concerned. Beware NGOs that claim to be independent but aren't. Support and talk to a plurality of NGOs in each country – women led minority NGOs, and those with different specialisms. Offering a real conversation with minorities would help them to prioritise submitting shadow reports. If we can't have an open dialogue, then it seems to me that there is nothing to stop the Advisory Committee using a mechanism now very frequent in UN human rights monitoring and holding an event where CSOs can speak directly to the experts here in Strasbourg about their current concerns and the conversations or lack of them that they have been having with their state authorities.