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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

Ms Snežana Samardžić-Marković, Director General of Democracy, Council of Europe

Closing session, 19 June 2018

Ministers, State Secretaries

Ladies and Gentlemen,

These were an intense two days: we heard ministers and secretaries of state speak; we discussed possible improvements to the monitoring arrangements of the two main Conventions in this area and we were informed of current minority rights stumbling blocks.

I really would like to thank the Croatian Chairmanship for including this event in its Chairmanship Programme, which, for all those who are concerned with the current situation in Europe, comes at a very timely moment.

Let me also thank the speakers for their contributions to this event. You were thought-provoking and frank, as we expected. Allow me to then express my thanks to all of you for your participation and for sharing your thoughts, your suggestions and your doubts with us.

Last but not least, I would like to extend my sincere gratitude to Philippe Boillat, our general rapporteur. Philippe is one of the intellectual fathers of the Framework Convention, who in the early 1990s was actively, very actively I should say, involved in the elaboration of the Framework Convention. Throughout the years, Philippe has followed its endeavours and I am very pleased that we can all benefit from his experience with, and his passion for, minority rights.

I can assure you that I have attentively taken note of the exchanges. In particular, I have been listening very carefully to the suggestions made on

how to recalibrate the monitoring of the rights of national minorities and their languages.

Before I continue, let me first make a remark of a more general nature: the debates over these two days have confirmed the indispensability of a multilateral platform, such as the Council of Europe, where issues related to national minorities, of a cross-border nature or not, are discussed and resolved. It proves that those who drafted the Language Charter and Framework Convention were right to include a multilateral dimension in the protection of persons belonging to national minorities.

Furthermore, the mere fact that we had these discussions yesterday and today, in such an open and constructive atmosphere, confirms that these two Conventions are equipped to contribute significantly to the de-politicisation of minority protection related issues.

By celebrating the 20th anniversary of the entry into force of the Language Charter and the Framework Convention, we remind ourselves of the continued relevance of the arguments, reasoning and rationale behind the drafting of both Conventions, as well as the wisdom contained within them.

With this in mind, on 18 May, in the Danish city of Elsinore, the Council of Europe member states insisted that the Council of Europe “ensure more effective and better co-ordinated monitoring”. I agree with that, as the current reform of the Language Charter demonstrates.

As the Director General with responsibility for several monitoring bodies, I strive for an effective, co-ordinated, but also efficient monitoring process. I always remind my colleagues that we are not monitoring for the sheer pleasure of it. No, monitoring is a burden (on a state; on the Council), only justified when it is helpful. For the privilege of carrying out monitoring, the Council of Europe must return a product that meets the highest standards of quality: we may dispute the content, but our advice should always be clear, relevant, balanced and faultless.

It goes without saying that monitoring bodies must be put in a position where they can reach such high standards: they should be adequately assisted in the organisation of country visits; be provided with relevant information in a timely fashion; and be able to employ members of the highest calibre.

In essence, monitoring is a trust-based process. Trust is not created on demand, but it may grow and flourish where there is transparency and accountability. State Parties should not hesitate to ask for clarifications, explanations and advice, and monitoring bodies should not wait to offer these. I would invite state parties and the monitoring bodies to reflect on how to intensify contact between them during the monitoring cycles: to ensure a meaningful and continuing dialogue also in order to assist states in implementing their obligations.

Incidentally, with regard to the latter point, the Council of Europe is reinforcing its capacity to carry out cooperation activities in the area of minority rights and minority languages; we do not merely wish to criticise states, but to help find a way of improving minority rights across the board.

Dear participants, the times are changing, as they do, permanently. However, the rationale behind our Minority Conventions has not altered and we need to keep them fit for use. Today and yesterday we discussed. As from tomorrow, my colleagues and I will resume our reflections, with new ideas and sharpened thoughts.

Thank you.